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Government  
Publication

No. 69

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

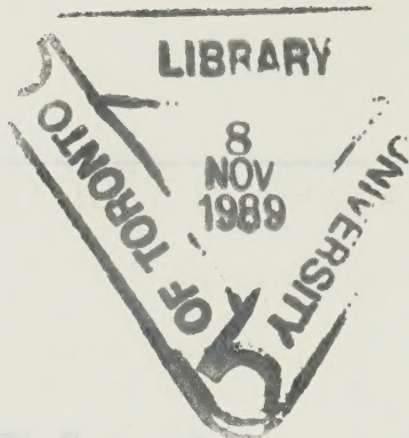
**First Session, 34th Parliament**  
Thursday, May 26, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

Published by the Legislative Assembly of Ontario







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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, May 26, 1988

The House met at 10 a.m.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### TRADE WITH SOUTH AFRICA

Mr. Velshi moved resolution 31:

That in the opinion of this House, this Legislature: condemns the system of apartheid and wishes to see an end to it and to the violence it engenders, acknowledges that there are people of all races in the Republic of South Africa, including whites, who oppose apartheid but are unable to speak out for fear of government reprisal; and others who fear that a democratic South Africa could mean the end of white culture in that country, calls for the creation of a truly democratic state in the Republic of South Africa with whites and non-whites being free and equal partners, with each group retaining its own culture, therefore this Legislature wishes to demonstrate its support of the people of all races in the Republic of South Africa who are suffering under and struggling against apartheid and calls upon all Ontarians to cease trade in goods originating in the Republic of South Africa until such time as apartheid has truly ended. Further, this Legislature also calls on the federal government of Canada to enact forthwith legislation banning the importation and sale of South African goods in Canada.

**The Deputy Speaker:** Mr. Velshi has moved the private resolution standing in his name. The honourable member has up to 20 minutes to make his presentation and may reserve any portion of it for his windup.

**Mr. Velshi:** Today, May 26, coincidentally is the 40th anniversary of the coming to power of the Nationalist Party of Dr. Daniel Malan in South Africa. While one third of South Africans celebrate this day, two thirds of South Africans, 3,000 of whom are in South African jails, go into mourning. For them, 40 years ago today spelt the death knell of democracy in that wonderful country because the Nationalist Party, dominated by the Afrikaner, finally came to power on a platform that promised its white-only electorate a unique concept of apartheid, mean-

ing equal but separate development of different races in South Africa.

I also mourn this day. It is a sad day for me personally, for South Africa is the country of my birth and where I spent the first 25 years of my life—a country where today tragedy is a way of life, a country in turmoil where hatred, violence and death is the order of the day.

As a member of this Legislature, addressing other elected members as I am now doing is something I could never have hoped to do in South Africa, the country of my birth, being of nonwhite origin.

We read of South Africa almost every day and we see it on TV, yet most of us do not understand or care about the great tragedy unfolding before our very eyes. We see the foes of apartheid being shot at, yet we choose to believe the racist government is easing up on apartheid. We are told that blacks in South Africa are better off than they are in other parts of Africa, and we choose to believe that a rich black man without freedom is better than a poor black man who is free.

When foes of apartheid are jailed, we choose to believe that the South African government is protecting western democracy from communism. When seven-year-old children are snatched from the schools or from the streets and jailed without trial, we choose to believe that the racist government is fighting terrorism.

When blacks are forcibly removed from urban centres, where they were born and have lived all their lives and sent to black homelands where there are no industries, no jobs and land that cannot be farmed, we choose to believe that this is equal coexistence in their own homeland as promised by the racist regime.

When Bishop Tutu advocates an economic boycott of South Africa, we choose to believe that sanctions will hurt the blacks the most and that they will be the ones to suffer the most. We choose to ignore the fact that the black man in South Africa is suffering already, and it has been that way for most part of the century.

We are also told that South Africa is divided into two distinct groups—whites versus nonwhites—and we choose to believe that, but nothing is further from the truth. There are thousands upon thousands of whites in South



Africa who oppose apartheid. Many openly oppose it but many fear saying so openly for fear of reprisals.

The South African government has mastered the art of deception and disinformation. Many people all over the world therefore are confused about what is really happening there and argue against pressure being put on the South African regime to change. We say: "Who would want to hurt the blacks? Why interfere in an internal matter? Give them time to solve their own problems. They understand it best."

Some say "We oppose an economic boycott," yet they refuse to offer any other solution to the problem. We have done nothing for the last 40 years, yet the situation has not eased. In fact, it has gone from bad to worse. Today, over 30,000 South Africans, mostly black, 10,000 of whom are children under 18 years old, ranging in age from 7 to 18 years, are in jail without reason, without trial, without having committed any criminal offence. The Sharpeville Six—six blacks on the death row—are awaiting execution for a murder that their own judge admitted they did not commit, yet we are content to do nothing.

What are we waiting for? The last time we did nothing, it resulted in the Holocaust. Now, 40 years later and with hindsight, we feel we should have done something then. Let us help prevent this evil system from creating another Holocaust which has already started.

**1010**

Having lived in South Africa for 25 years, I would like to give the members of this House an insight from personal experience into what really goes on there.

After 1948, a system of passive resistance started among the nonwhites. The idea was to fill up the jails of South Africa so that the world media could inform the rest of the world what was happening and how oppressive the regime was getting in South Africa.

The system was quite simple. Any South African government-owned building had two entrances, one for whites and one for nonwhites. To break this law was quite simple. A group of people would get together, phone the police and say, "Tonight, we are breaking the law by entering the Pretoria railway station." The whites in the group would enter through the nonwhite entrance and break the law, and the nonwhites would enter through the white entrance and break the law. They would all get into the railway station and all of them would get arrested by the police.

It is a laughing matter, but it is very serious when you think of it. The next day they would be taken to court and fined £5 or seven days in jail and they would choose to go to jail, the idea being to fill up the jails of South Africa. This was the Mahatma Gandhi system of passive resistance and nonviolence.

When one had to go to the city to shop, as we would in downtown Toronto, there would be washroom facilities for whites. There would be no washroom facilities for nonwhites. This, of course, created a problem in terms of timing and restraint. If you had to go shopping and you knew that two hours from now you had to visit a washroom, then you would make sure you were home within two hours, because there were no other facilities around for one to use.

Again, this sounds very funny. There is a play in Toronto now at the Toronto Workshop Theatre called Bopha. It is a group of three black South Africans. I urge members to go and see that play. It is comic, it is tragic, but it is true. It indicates exactly what is happening, even today. There is very little difference between 25 years ago and now.

We sometimes read in the Toronto papers that a certain area of a large city has been cleared and they call it slum clearance. But it was not slum clearance. When they wanted to confiscate properties belonging to a certain group of people who were not white, they confiscated them under the guise of slum clearance and razed them. They were properties belonging to people like me and my mother and we have lost properties that way.

My family had a bakery business in South Africa. It was the 11th-largest bakery in South Africa. The funny situation is that the whites would not eat bread baked by our bakery. The blacks were the bread-eaters and 99 per cent of our clientele was from the black population.

The blacks were moved into residential areas that were then circled by a barbed wire and a fence. This is a common procedure in South Africa. Anybody wanting to get into the black areas would need permits. Everybody was given a permit for a year and they went in and out doing their business, as any business would want. Ours being a nonwhite business, our permits were reduced from one year to six months, then to three months, then to a month and, eventually, we had to get our permit every day to enter for the day.

The sad part of this was that a bakery has to sell its bread by six o'clock in the morning so that people can have their bread at the breakfast table. But the office of the superintendent looking after



those locations, as they were called, did not come in until nine. So we could never get into the locations to sell our bread until nine o'clock, when it was too late. This was economic strangulation. We say we should not do the same thing to South Africa, but they have practised it for a number of years.

When my father finally decided to leave South Africa—he was due to leave on a particular day; I do not remember the day now, it is something that is blanked out of my memory—he died of a massive heart attack. The doctors said it was a heart attack. I still maintain it was more heartbreak than heart attack, at having lived there all his life and having to move because of economic strangulation that was done to us by the government in power.

We talk about the rich, middle-class, black population that is developing in South Africa today. There is a middle-class black. The government of South Africa states that this black middle-class is not opposing the South African government of apartheid. That is true. They are not opposing it. You will never hear a black businessman in South Africa making such a statement for the simple reason that licences to trade by the black business people are issued annually, and anyone making such a statement would not get his licence renewed the following year. So they are out of the way in that manner.

We saw this week the first political assassination in South Africa, in Cape Town. This has never happened before in South Africa, although politicians have been killed for reasons other than political. I think we are going to see more of it happening in South Africa.

Another funny, tragic part of South Africa is that last year 918 people bid to be reclassified by racial groups. A total of 900 people applied last year to be reclassified from one racial group to another under South Africa's race classification laws. This was revealed in Parliament yesterday.

The population registration not only lists every South African as a member of one of four official racial groups—white, black, Asian and mixed—but divides them into further subgroups. Tests of descent, appearance and general acceptance are used to determine an individual's race. Mr. Botha said one white had become a Cape Coloured, 69 Cape Coloureds had become white, five Malays had become white, three Indians had become Cape Coloureds, two Cape Coloureds had become Indians and one Malay had become Indian. In addition, 113 blacks had become Cape Coloureds, one black had become a Griqua and one Cape Coloured had become a Malay.

Among unsuccessful applicants were four Cape Coloureds who wanted to become Chinese, nine Indians who wanted to become Malays and three blacks who wanted to be other Asians. Malays, Griquas and Cape Coloureds are subgroups of the mixed race group, while Indians, Chinese and other Asians are subgroups of the Asiatic group.

It is complicated, it sounds funny, but this is true, because when a Chinese is married to a black woman or vice versa, they cannot live together unless they are both classified as part of the same group, because they have different areas in which to live. This breaks up families. If the government does not allow them to be reclassified, it just breaks up the family and that is the end of that family unit.

Pretoria stifles dissent. Last year we heard about Pretoria stifling dissent. The new law published Friday and enacted overnight by police could see a sweeping effect. It forbids people from signing petitions calling for the release of a person in detention; prohibits anyone from encouraging people to phone, write or send telegrams to the government demanding the release of a detainee; bans the wearing of stickers or any article of clothing that carries a slogan protesting or disapproving of detention without trial; forbids people to attend gatherings held in protest against detention without trial or to honour a detainee; and bans the performance of any act which is a symbolic token of solidarity with, or in honour of, detainees.

Bishop Tutu, the titular head of the Anglican church in South Africa, after pleading with the South African authorities in vain, has finally decided to ask for an economic boycott of South Africa. Those who say that the racist regime in South Africa is slowly moving towards easing apartheid are wrong. Every day we see more arrests, more violence, more detentions, more torture and more deaths. By my reckoning, things are getting worse, not better.

Besides, Bishop Tutu has said: "We do not want apartheid made easy. We do not want the chains around our necks made any more comfortable. We want them removed now."

But everything in South Africa is not black or white. There are many whites in South Africa who oppose apartheid. Some have spoken out. The majority are afraid to speak out against the racist regime for fear of reprisals. There are also other whites who are genuinely scared that equality in South Africa will mean an end to the white culture as they know it.



Let us in Ontario send a message to them. "We know your fears," let's tell them, "but they are not justified." Let's tell them that they can live amicably with each other as we in Ontario do. Let us, as Canadians, send a message of hope to them, "Let us be your role model because we are doing it here and so can you."

1020

Let us tell them to talk to the nonwhite moderate leaders who are around such as Bishop Tutu, Rev. Boesak and Nelson Mandela. Failure to negotiate now with these moderate leaders will lead to more bloodshed and eventually there will be no moderate black leadership left for them to talk to.

Let us also send a clear message to the racist regime in South Africa. Let us tell them: "We want you to negotiate with the black moderate leaders. If you do not, we will force you to do so by asking the government of Canada to enact legislation to implement a complete economic boycott of South Africa."

I ask for the support of all members of this Legislature in the hope that in our own little small way we can prevent another Holocaust.

**Mr. B. Rae:** I congratulate the member for Don Mills for his eloquence today. I can only say that if the thrust of my argument is critical, not necessarily of him but of this government, it is because, prior to his coming here, my party and I raised for a number of years the question of Ontario's participation in apartheid and what we could do.

I will say to him that my great disappointment in his resolution and indeed in his speech is that he does not, in a sense, reflect at all on what Ontario is doing, should be doing and could be doing. All the obligation does not simply fall on the federal government. I could say to him that in some instances the federal government in fact is doing more than the provincial government with respect to its investment policies on companies that do business with South Africa. Frankly, the member should look hard at the information which is now publicly available with respect to what the government of Ontario has decided not to do.

In particular, I would like to say this: I share, and our party shares, the member's abhorrence and opposition to apartheid. I congratulate him for the eloquence of his speech and for the sincerity with which he has spoken. I think it is a truism that speeches that are spoken from experience are always the most real. Certainly, what the member had to say today was very real

and very moving for all of us who were listening to it.

I want to say, though, that in September 1986 this cabinet considered a submission, of which I have obtained a copy, with respect to its policy on South Africa.

**Hon. Mr. Sorbara:** Do you get them all now?

**Mr. B. Rae:** I get them all now. For some reason—I do not know why—they seem to come across my desk.

This is a very interesting document because it refers to all the options available to the cabinet. It contains information about the level of investment in South Africa by companies that do business with the government of Ontario. It sets out various options the government of Ontario could follow if it were interested in having a policy on South Africa.

I can tell the honourable member that the basic options considered by cabinet were these: They could either do nothing, or they could have a policy that allowed divestment to occur in certain trusts and other pension funds, which I will come to in a moment, or they could make divestment mandatory. Just to talk about another question, they could have a policy which said, "We will not do business with companies that do business with South Africa," or they could have a policy which said, "We will not purchase goods which originate from South Africa." There is a range of options.

I think it would be an education for the member to look at this document and see what his colleagues in the Liberal Party decided to do, because what his colleagues in the Liberal Party decided to do at each and every step of the way was to take the soft option. It was to take the option that would require the least intervention by the government of Ontario and that would lead to the least inconvenience for the government of Ontario and for the population of Ontario.

If I may say so, on one hand the government of Ontario was inviting Bishop Tutu to address this assembly—which is a moment I shall never forget and I know everyone who was here will never forget—and it was doing that in terms of a major public gesture, while on the other hand it was considering options and deciding to ignore the advice of Bishop Tutu when it came to the question of a boycott, and instead to follow policies that were far softer, easier and milder than the ones recommended by Bishop Tutu.

I say to the honourable member—with the greatest of respect, as they say—that I think it would have been a good idea if he had informed himself of that policy discussion which took



place in cabinet. In his resolution, which of course we will be supporting and I know others will be supporting, it might have been a good idea if he had called upon the government of Ontario to do some things and not simply taken the slightly easier route politically for a member of the Liberal Party in this province, which is to say it is the federal government's responsibility to do everything. It is not; it is the responsibility of each and every one of us to do something.

Let me deal with the question of pension plan investments. According to the cabinet document, the Ontario municipal employees retirement system has an estimated \$420-million worth of investments in South Africa, in the sense that it has investments in companies that do business in South Africa and the estimated South African content of that corporate investment is \$420 million.

The Ontario Hydro pension plan had an estimated South African content in its corporate investments in 1984-85 of \$290 million. The hospitals of Ontario pension plan has \$157 million of South African content. The Workers' Compensation Board pension plan has \$17-million worth of South African content in its corporate investments.

The employees in these plans have all objected to these investments and have called upon the plans to divest themselves. The Ontario government representatives on those boards have refused to go along with a policy of corporate divestment. Let it be on the record that when we challenged the Treasurer (Mr. R. F. Nixon) in this House to say, "Are you going to issue a directive?" he said, "Well, it is up to the trustees to decide what they want to do."

The only thing this government has done is, not to pass legislation, not to see that it gets through the House, but to have the Attorney General (Mr. Scott) have legislation that has been waiting for this government to take action on for two years from the time it was considered. That is Bill 9; we are still waiting for Bill 9 to be called by this government. They have been sitting on it for two years. It is the least possible thing they could do—permit trustees to divest themselves—and even that has not been done.

I say to the honourable member that when it comes to the question of what Ontario's procurement policy should be, it is true to say that a directive has been issued which states that the government of Ontario will not purchase goods directly from South Africa, but it is also important to note that this was not the only choice available to the government. It was possible for

the government of Ontario to say, "We will not do business with companies that are doing extensive business in South Africa." They have rejected that option.

I might say that on the questions of divestment and procurement, there are state governments in the United States which are far more progressive than the government of Ontario when it comes to its policies, far clearer in terms of what they expect companies that do business with them to have in place as policies and practices when they deal internationally. Time and again, this government has rejected that approach.

For example, the Ontario government has contracts with the Bata shoe company, obviously with Falconbridge nickel, with the International Thomson Organization, and with Moore Corp. Ltd., which has very extensive dealings with the government of Canada and the government of Ontario when it comes to paper and paper forms and so on; it is also a company that has very extensive business in South Africa.

This government purchases goods to the value of literally tens of millions of dollars from companies that do an extensive business in South Africa. Obviously, the government considered the option of whether or not it would consider banning those purchases or consider a different kind of procurement policy, and what did it say?

"It is not unreasonable to surmise that a ban by the province of these companies' products would generate some financial difficulties for them, at least in their Canadian domestic sales operations. The internationally rationalized nature of these companies' operations means that the ban on Ontario government procurements may not necessarily affect goods produced in Canada, but there would likely still be an economic impact on Canadian operations. As well, there could be direct costs to the government associated with such a ban in attempting to find substitute goods and suppliers."

It might hurt the companies and it might hurt the government.

**1030**

So what does the government say? "Well, let's not do that option. Let's invite Bishop Tutu to speak to us. That's not going to cost us anything. Let's have him come in here and give a very eloquent speech on apartheid. That won't inflict any pain on anybody. It will provide an inspiration for the people of this Legislature and the people of the province. Let's do that, but let's not get into the business of a real economic boycott."



I welcome the opportunity to debate this. I think it is a very important question. It is one my party and I have raised in this House on a number of occasions. I welcome the opportunity to participate in the debate.

My only comment to the member, if I may borrow an expression, would be let us look to our own house. Let us look to what we could be doing here in Ontario. Let us look to what we could be doing ourselves and accept the fact that, yes, there may be some pain and some cost involved, but if we are serious about a boycott, that is what a boycott means. Let's not pretend it does not mean that. Let's face up to the fact that this is what it means, and frankly, let's do it.

**Mr. Runciman:** At the outset, I want to make it clear that members of the Ontario Progressive Conservative Party find the South African apartheid system of government abhorrent and I have no doubt that pressure from the outside world can greatly assist in bringing about positive changes in that troubled country.

We all know it is relatively easy for members to pontificate about the sins of the South African government. They are quite well known and the member sponsoring this resolution has some added credibility in that regard, having lived in South Africa for a number of years. However, I am not going to take the easy way out. I am going to talk about something different, something that is usually missing from debates and discussions on South Africa, and that is moral hypocrisy.

Members may recall that some months ago I asked the Premier (Mr. Peterson) about his government's trade with Chile. I asked this shortly after the Premier had wined and dined the Chilean consul at Queen's Park and the Liquor Control Board of Ontario had announced significant additional imports of Chilean wines.

Chile, as some members may be aware, is not exactly the Mecca of democracy. Amnesty International's 1987 report on Chile detailed extensive short-term arbitrary arrests, torture and human rights violations by security forces in the arrests of government critics. Between 1973 and 1977, approximately 700 political prisoners had disappeared following their arrests.

A specific example of what is happening in Chile described in the report is the case of two teenagers, Rodrigo Rohas and Carmen Quintana. These two young people were arrested by a military patrol during a work stoppage protest. They were beaten, doused in inflammable liquid and set on fire. Rohas died, but Quintana survived and we have seen her on US television campaigning against the Pinochet regime.

That is the kind of thing that is occurring in Chile, and based on the Premier's self-confessed concern about human rights in his ban on South African wines, I felt it was appropriate to ask him about his cozying up to the Chilean consul and the increased importation of Chilean wines.

What was the Premier's response to my question? Well, he implied that I was a bigot for being opposed to this province being declared officially bilingual. That is right. This deep thinker of a Premier we are saddled with equated police torture chambers with the right to get a speeding ticket written in French. Thomson News Service's Queen's Park columnist, Derek Nelson, described the Premier's equating of murder and torture with one's opposition to official bilingualism as "the shallowest kind of thinking."

Of course, Chile is not the only country Ontario does business with that has human rights records as bad or worse than South Africa. Bulgaria and the Soviet Union immediately jump to mind. But the Premier chooses to ignore this and concentrate his government's moral indignation solely on the high-profile sins of the South African government.

No doubt that is politically trendy and popular with a great many people, but if the Premier and his ragtag squad are genuinely concerned about human rights, why are they not acting with consistent morality in their dealings with their business partners? This sort of moral hypocrisy or selective indignation extends beyond the cabinet benches, and as we have all read, into the back benches of the current government.

The sponsor of this resolution, a man whom I very much like, apparently lives in a glass house when it comes to this issue. Obviously, as the press details of his travel agency business unfold, he should not be throwing stones.

A number of years ago, I chaired what was then called the select committee on the Ombudsman and I tabled in this House a special report dealing with human rights. The committee recommended a method by which this assembly could act to make its voice heard against political killings, imprisonment, terror and torture in a consistent manner. The committee wanted to do away with the hollow posturing and pious, ineffective words, and instead do something to provide tangible improvement in the lot of persons whose human and political rights are being trampled. Regrettably, neither the former government nor the current government has seen fit to deal with that report.



In conclusion, I call upon the government, if it really, genuinely, seriously and sincerely cares about human rights, to bring forward that select committee report for debate and subsequent adoption. Let's do something meaningful about human rights violations. Let's apply our policies in a consistent manner with all of our trading partners and hopefully put an end to the moral hypocrisy and selective indignation so common in debates of this kind.

**Mr. Fleet:** I am pleased to strongly support this resolution and I congratulate the honourable member for Don Mills for bringing it forward. This resolution has four parts. It condemns the ugly system of state-supported, institutionalized racism known as apartheid. It stresses the positive goal of joint partnership among all racial groups in South Africa. It urges all citizens to take direct but peaceful action here in Canada to cease trading in South African goods. Lastly, it urges the government of Canada, which has jurisdiction in this matter, to ban the importation and sale of South African goods in Canada.

Some people, including apparently one person in this House, ask, "Why single out South Africa for criticism and a trade ban?" Other countries that trade with Canada have undemocratic and repressive regimes that all of us in this Legislature abhor. Some of these other governments are communist and some are right-wing dictatorships; their ideologies vary. But there is a unique quality to the pervasive system of repression in South Africa. No other government in the world discriminates so exclusively, so extensively and so ruthlessly, solely on the basis of race.

All women and all men of all races are born with equal elements of the human spirit, with equal claim to freedom of expression and activity. The denial of that basic human equality by South Africa is morally repugnant to virtually all Canadians.

1040

Not only that, but other governments throughout the world, of all different types, democratic and even the deplorable regimes, even those ones, are united in condemning apartheid. If anyone ever doubted the dirty and heartless nature of apartheid, surely that doubt was dispelled by events in the last two years. The South African government has declared war on children. Schools have been fenced off and are patrolled by police and army troops. Schools have restricted registration and registered pupils must wear special identity cards on their clothing. Could we be more shocked if they had to wear a yellow Star of David?

Children in the hundreds and even the thousands, children as young as eight years of age, have been arrested and detained without warning and held for up to several months without charges or explanations. There are numerous documented reports of children hurt and even killed by police action, some on the streets and some while in police custody.

I will now read two brief excerpts from a document prepared by the Lawyers' Committee for Human Rights, based in New York City, dated December 1986. The first excerpt is an account from court documents of a child who was interrogated by a policeman.

"He"—meaning the policeman—"refused to believe me and accused me of lying. He then proceeded to squeeze my throat with both of his hands. He throttled me until I was about to collapse. He then released his grip. He thereafter seized my testicles and proceeded to slowly squeeze them. The pain I suffered was excruciating." That was August 1986, a 14-year-old child.

This is the second one: "I was accused of burning two schools. I denied these accusations. As a result of this denial, I was assaulted. I was struck in the stomach and all over my body by the policemen, using their closed fists. This interrogation, interspersed with assaults, went on for about an hour." That is another 14-year-old, also in August 1986. That description goes on at some greater length.

There are reports and newspaper stories with names and dates and places of endless incidents, all with this distressing detail.

Now we ask ourselves, and certainly this resolution poses the question: what nonviolent ways have we of sending a message to the people responsible for this deplorable state of affairs, namely, the South African government? Ultimately, the South African government can only function if it has the economic strength to operate.

To a significant degree, South Africa does rely on foreign trade. Late last year, I acquired some data on Canadian and South African trade. I discovered that both Ontario and Canada as a whole have a trade deficit with South Africa. That means we buy more from them than we sell.

In dollar terms, our trade is more important to South Africa than it is to us. In 1986, Ontario imported \$256-million worth of South African goods, then representing some 69 per cent of the Canadian total. In the first half of 1987, this had dropped to only \$16.2 million and it was down as a percentage of the Canadian total to approximately half what it had been a year before. This



decrease is due to a number of measures, but one of the most important, admittedly largely a symbolic gesture, was the decision by the Ontario government not to continue to purchase goods, particularly food, from South Africa.

In 1986, in Ontario, we exported some \$38.7 million worth of goods, about a quarter of Canada's total. In the first half of 1987, that was down to some \$15.4 million, a slight dropoff. In 1985, the last year for which I could find figures, some 27 Ontario companies had export agents in South Africa and another 41 Ontario companies have listed South Africa as a market that they serve.

Frankly, I take the comments of the Leader of the Opposition (Mr. B. Rae) at face value. I do not think that this—and in fairness, I thought perhaps the last speaker who spoke was rather unfair to the member for Don Mills. This resolution is not intended to be a panacea for all things Canada or Ontario might do, but it is intended to move forward. One of the things I discovered in my research was that the most effective action in many ways can come in two respects. One is the attitude that we have towards South African goods, all of us as consumers; but also, in terms of legal jurisdiction, the power of the federal government is far more effective.

Clearly, Canada cannot by itself force South Africa to change or even put a large dent into the South African economy. However, we can take a position of leadership to encourage others to follow our example. Even the longest journey begins with a single step. Members can take a step by not buying South African products. The government of Canada can take an important step by banning the importation and sale of South African goods.

I think it is important that we keep in mind that for all the oppression that is a part of daily life in South Africa, people there still continue to struggle for justice. It is very important that we should help to put additional pressure on South Africa and its government and to send a message of hope to the opponents of apartheid. I urge all members to join with me in supporting this resolution.

**Mr. Wildman:** I rise to participate in this debate and to congratulate the member for Don Mills on bringing this matter forward once again in the House. It has been raised by a number of members over the years, and I understand his sincere feeling for the situation in South Africa, a feeling I think is shared perhaps not with the intensity but certainly with the sincerity of the

member by all other members of the House, no matter what their political stripe.

As Canadians, I think our hearts must cry out for the situation in South Africa. I agree with the speakers who have said that we should, as members of a democratically elected Legislative Assembly, abhor institutionalized violence and terror wherever it occurs throughout the globe.

I am sure that, as citizens of a democratic country, we have some difficulty in understanding with our democratic traditions the situation that occurs in so many parts of the world, where governments systematically use torture, arbitrary arrest and even murder to maintain the system that they believe is the best for their country. What is difficult for us to deal with, I think, is that there is a government that does genuinely believe, no matter how mistaken it is, that its system is the best, at least for some if not for all of the citizens of its country.

I congratulate the member for High Park-Swansea (Mr. Fleet) on his comments with regard to the war on the children in South Africa. I know that most of our pages are not here this morning, but I think it must be difficult for them, as it is for the rest of us, to understand that the leading force in opposing the South African regime is kids their age, children who have decided collectively that they have had enough. While their parents may be beaten down and unwilling or unable to maintain the struggle, they, in a sense, are forcing the rest of their community to reject a system which must be rejected.

**1050**

Of course, that has brought violence down upon them. It has meant that sisters, brothers, mothers and fathers have children who have disappeared for months and years and they do not know where they are. It is not that they have just been arrested and that they are held in detention somewhere and their families can go and visit them, even if it is very seldom; in fact, they have disappeared.

It is a situation that all of us reject and must do all we can to help to resolve. But how can we, on the other side of the globe, help to resolve what is a very complex situation? All of us recognize that the apartheid regime is institutionalized racism. But it is too easy—and I am sure the member for Don Mills would agree—to say that we have on the one side the Caucasian community, the white community; and on the other side the black community, with the Asian community in alliance. It is not that simple. There are division within those communities. We cannot even say

that we have the descendants of the Boers on one side; there are even divisions in that community.

Recently I saw demonstrations against Bishop Tutu, on his return from a speaking engagement in America, in which blacks participated and in which they said that if Bishop Tutu was successful in his campaign to persuade western democracies to boycott South African goods, that they, blacks, would lose their jobs.

We have seen Chief Buthelezi, who on one side seems to be rejecting the attempts to overthrow apartheid, but who on occasion says that he rejects certain aspects of the regime. We have seen some Asians who participate in what is essentially a powerless assembly which has been set up to which they can be elected, and others who reject the whole process.

We have seen the so-called liberal whites who have for years fought against the system through the electoral process and who seem to be losing ground. We see also the growth of what can only be called the fascist right, the extremely fascist right, who reject even the short-term, small steps that have taken by the regime to "reform" the system.

It is very complex. How do we as people on the the other side of the world respond to this system, a system that destroys people like Steve Biko, a system that imprisons people who are leaders of the revolutionary African National Congress for 20 and 30 years? How do we respond? It has been suggested in the resolution and in the debate that the way we respond is by following the demands of Bishop Tutu to institute a boycott of South African goods, and I support that.

I hope that in passing this resolution, it will not be just one more pious expression of opinion but will actually lead to government action; that we will in this province take leadership. I recognize, as has been said, that we cannot do it by ourselves, but that is no excuse for not taking action. We must be prepared to lead.

If we in this province can take action, we may persuade other provincial governments and the federal government of this country to boycott South African goods, which hopefully will lead to other western democracies taking similar action. I speak particularly of the United States of America, the United Kingdom and the Federal Republic of Germany, which are major trading partners with the South African regime.

I remind members of the comments of my leader. There are many things that could be done by this province and this government has not done them. In fact, it has rejected doing them.

We cannot just have an expression of opinion, we must have action.

I just want to close by saying that sometimes in these kinds of debates, we are tempted to be self-congratulatory. We live in a democracy. We do not have a government that systematically abuses human and civil rights. But I am reminded again of my leader's comments that we should look at our own house. While we do not have a majority of oppressed in this country, we do indeed have a significant minority who have not been able to exercise full rights in our democracy.

I speak of the native people of this country. I hope that in moving to deal with a system that we reject on the other side of the globe, we will be reminded that we must take action in our own country, in our own province, not only with regard to the South African regime, but also with regard to actually recognizing the rights of Indian people in this country and their right to self-government.

I hope that will encourage all of us to support human rights, political rights and civil rights, not only in the South African situation but throughout the world and in our own country.

**The Deputy Speaker:** Thank you. The member for Brampton.

**Mr. Callahan:** There is not much time left.

**The Deputy Speaker:** There is no time left. I am sorry. Then would the member for Don Mills make his response?

**Mr. Velshi:** I must say I am overwhelmed by the support I am getting, particularly from the member for Leeds-Grenville (Mr. Runciman) whom I consider a good friend of mine. This mild rebuff I take very seriously, and I think it is something I will be looking into.

I agree, whether it is Chile or Ethiopia, once we start getting into the human rights thing, where do we stop? I do not think there is any stopping once we start. There are so many countries that we need to talk about, starting right here at home, as the member for Algoma (Mr. Wildman) has mentioned. As far as they are concerned, they can consider me as part of, as an extension of their caucus for this particular purpose and I will look on them as part of my support system outside my own caucus to get moving on the human rights question in all countries.

One thing we have to bear in mind, whether we are talking about Chile, Ethiopia, Palestine, Russia, Bulgaria or many other countries, is that we are liable to get ourselves entangled. But once we talk about human rights, we have to put on our



blinkers and say: "Human rights are human rights. It does not matter whom it affects and how it affects them, we are going to have to decide to fight for it." Either we are for it or we are against it.

I do express my appreciation to all the speakers here. I feel my resolution will not have any problem getting through. I am just not too sure what to do once we do approve the resolution and where we move from there. Perhaps some advice from some of the older members in the Legislature will be helpful a little later.

1100

### GREENWOOD RACEWAY ACT

Ms. Bryden moved second reading of Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission.

**The Deputy Speaker:** The member has up to 20 minutes to make her presentation, of which she may reserve any time for the windup.

**Ms. Bryden:** I would like to reserve three minutes for the windup.

Through Bill 12, I am seeking provincial legislation to protect a large number of residents in my riding who are suffering what might be called community pollution. It results from the impact of seven-days-a-week racing activities at the Greenwood racetrack situated in a densely populated urban residential neighbourhood.

My bill does not restrict Sunday racing or racing activities at any other racetrack in Ontario. Greenwood Raceway is the only track in Ontario located in the midst of a large urban community and that is why it requires special legislation to guarantee the residents respite from racing activities on Sundays, when they want to have families and friends join them in their homes and want peace and quiet in the neighbourhood.

They did have race-free Sundays for over 100 years of racing activity at this racetrack, but the situation changed abruptly in October 1986 when the Ontario Racing Commission authorized Sunday racing without consulting the residents or even notifying them of the meeting at which the decision was made. At the same time, the Ontario Racing Commission increased racing and intertrack wagering days to 298 days in the year 1988, including every single Sunday except Christmas.

This decision by the Ontario Racing Commission indicates the need for action in the second area covered by my bill, which is to provide public input in the decision-making processes of

the Ontario Racing Commission. Currently, the Ontario Racing Commission has no adequate procedures to advertise meetings or to hear submissions from people not directly involved in the horse-racing industry.

This flaw in the ORC's mandate became quite apparent in the fall of 1986 when the ORC refused to listen to residents living in the vicinity of Greenwood Raceway prior to approving Sunday racing. Nor did the ORC pay any attention to the fact that the Toronto city council, a few days before the decision was made, unanimously expressed its displeasure with Sunday racing being authorized at Greenwood. Some of them referred to the fact that the Ontario Jockey Club had made a commitment not to introduce Sunday racing at Greenwood when it applied to Metro for the right to have Sunday racing at Woodbine. Apparently that commitment has disappeared and has not been honoured.

I and a group of residents challenged the ORC's interpretation of its mandate in court last spring. Unfortunately, the Ontario Divisional Court ruled that the ORC is not required to hold public hearings or to take into account the views of the neighbourhood residents when making decisions.

Consequently, the court ruling has left no other avenue open to us except by provincial legislation. Time and again, I have asked the Liberal government to honour its commitment to "open and accessible government," which became an election slogan in 1987. I ask them to honour this commitment by changing the Ontario Racing Commission's mandate to guarantee to the residents the democratic right to be heard.

However, the Premier (Mr. Peterson) and the ministers responsible for the ORC continually brushed aside my requests, insisting that it is not a matter of provincial concern. Let me quote the reply of the Minister of Industry, Trade and Technology (Mr. Kwinter), who was the minister in charge of the racing commission at one time. He said, "The Ontario Racing Commission is structured to deal with racing matters. Matters dealing with parking, noise and congestion in the streets are not in its jurisdiction." He does not address the question of the democratic rights of the residents, and he is completely misinformed when he thinks that the parking, noise and congestion problems created by the racetrack can be dealt with by the municipal council.

The fact is that the municipal council does not have the power to limit the hours or days of racing. It does not have the power to ban Sunday racing, and, in effect, the only answer it can



provide for the parking problems is either to build new streets where there is no space for new streets, new parking lots where there is no space for parking lots, or to put in a year-round tow-away zone. That is what was done, reluctantly, with the residents' consent, because there seemed no other option as to how to control the illegal parking that flowed into their area on all racing days and made it impossible for them or their friends to park. In some cases, they themselves became victims of the tow-away if they were the slightest bit off where the legal parking was allowed.

They have no other recourse except provincial legislation which would recognize their natural right to be heard and to have their concerns considered when the sharing of a joint neighbourhood is being considered by an industry and by a community. Surely, they both have some rights.

In the case of the Ontario Jockey Club, it seems to think its only right is to make as much money as it can out of the racetrack, regardless of the interests of the community.

It seems to me that putting the almighty dollar as the top priority for any industry in a community is not looking at the needs of the people who inhabit the community and who must have some regulation of their lifestyles and some control over their lifestyles and not just be at the mercy of a corporation whose only objective seems to be the bottom line.

My bill addresses the problem of adequate public input by requiring the ORC to advertise meetings and agendas and to hold full public hearings. It says the ORC must give consideration to submissions put before it by people residing within one kilometre of a racetrack. It also changes the composition of the ORC to include representation from the general public. Members may not be aware that this government-appointed commission at present is made up entirely of persons connected with the racing industry, plus Chairman Frank Drea, a former Progressive Conservative cabinet minister.

**1110**

As far back as 1981, the standing committee on procedural affairs examined the Ontario Racing Commission and pointed out, and I quote: "Your committee is of the opinion that a possible conflict of interest may now exist within the commission. At the same time, the committee recognizes that this situation is not limited to any particular agency, but can occur with respect to all Ontario agencies."

It is no excuse to say that we should recognize a conflict of interest and then say that we are not

doing anything about it because other agencies may have the same conflicts within them. This government came in in 1985 and again in 1987 with a pledge to bring open and democratic government to this province. In the case of the Ontario Racing Commission, it has continued the practices of the previous government in loading the commission only with people connected with the industry and it has done nothing to rectify the situation so that the citizens' rights may be heard and their considerations dealt with in the decision-making process.

In fact, the Ontario Jockey Club pays literally no attention to the needs of the residents. They have occasionally invited the residents to sit down with them and voice their complaints, but in most cases all they offer is, "We will build additional parking spaces on the racetrack and that will solve your problems." Of course, it does not, because most of the patrons who come to the racetrack look first for a free parking space on the neighbouring streets. Only when those are all filled up will they go into the paying places at the racetrack. So "more parking spaces" is simply a sop to the community, saying, "We are looking after your needs."

They have also changed the entrances, which affects the traffic patterns for people, without consulting the people. It changes the streetcar stops and the bus services in the area without consulting the people, so their lives have been very gravely affected by the impact of this track. The greatest loss, of course, is of their free Sunday, the one day of respite from seven-days-a-week racing.

Over the past 35 years the proliferation of racing activity at Greenwood has been staggering. In 1952 the Ontario Jockey Club held only 28 days of racing and no racing on Sundays. By 1982 that had jumped to 219 days, again with no racing on Sunday. In 1988 Greenwood will operate 298 days of the year, including every Sunday except Christmas Day.

Such a growth in operations, especially with the advent of Sunday racing, has put this residential community under siege without any means of escape. The residents remain powerless to bring about some change. The city of Toronto does not have the power to ban Sunday racing, as I have said, or to regulate days and hours.

I also want to point out that it is not just the residents immediately in the vicinity, but it is all of my 39,000 voters in the riding, from one end of Queen Street to the other, who are affected. The businessmen are finding that their business is cut back because of lack of parking. The people



who wish to access the other recreational and cultural facilities in the area are unable to reach them. The sailing community finds it difficult to get to the sailing clubs and the restaurants also find that business is affected. The tow-away zone has had to be extended to a large part of Queen Street.

I want to quote briefly the reaction of the manager of the McDonald's restaurant close to the racetrack. In a letter to the Ontario Jockey Club he said, "A recent Ward 9 News article reported that you denied Greenwood racetrack creates local parking problems. The story also said that neither you nor the police have received any complaints.

"Well, let me be the first. I took over this McDonald's on March 1, 1987. On March 22 your season started and my lot was full from 11:30 a.m. until late afternoon when the track emptied. My employees had no place to park and I lost about \$1,000 in sales because customers could not park in my lot." So the businessmen are seriously affected as well.

I am urging all members of the Legislature to affirm their belief in open and democratic government by supporting the proposed changes in the Ontario Racing Commission, in its composition and procedures, in order to make it more democratic. I am urging all members to do this by voting for my bill. If it passes second reading, it will be a direction to the government to bring about these changes either by calling my bill for third reading or by bringing in a similar bill of its own. I think I will leave the rest of my time for rebuttal.

**Mr. Runciman:** I would like to contribute a few brief comments to this debate, this crusade by the member for Beaches-Woodbine (Ms. Bryden). Some have labelled it a vendetta rather than a crusade, a vendetta against the chairman of the Ontario Racing Commission, Frank Drea, a man who is from all reports doing an excellent job as chairman. That is not surprising, given his government experience and more important his political affiliation.

For the information of the House, the sponsor of this resolution has on two occasions taken her concerns to Divisional Court. She lost twice and was ordered to pay court costs. Through this bill, she is attempting to accomplish what she could not accomplish through the courts. We in this party will not be supporting the resolution and we share the view that passage of this bill would have serious consequences on investments, jobs and the welfare of thousands of Ontario resi-

dents, not only in the immediate area of Greenwood but throughout the whole province.

I would like to put a few things on the record briefly. I have a letter from a concerned resident of the province and I would like to quote some aspects of that letter into the record.

"Racehorse owners in Ontario must rely for purses solely on their share of the commission from each dollar bet. Because the takeout or commission has not kept pace with inflation, the Ontario government rebates a portion of its parimutuel tax, which has been earned by the horseman in the first place, to augment the purses at all Ontario racetracks, to keep racing alive and to assure the continuation of some 40,000 jobs in the racing industry. Almost 60 per cent of the total standardbred purse rebate accrued is generated on the Ontario Jockey Club and more than 50 per cent of this amount is distributed to other Ontario racetracks.

"Consequently, a stoppage of Sunday racing will cause irreparable financial damage to the owners of the best harness racehorses in the world and will, just as importantly, have a disastrous effect on horse owners who race at the other 19 racetracks in the province through the resultant drop in betting revenue at Greenwood. This will cause a loss of owners and a shortage of horses which could lead not only to a reduction in operations, but possibly to a complete closure of some racetracks in the province. The curtailment or complete stoppage of racing would not only cause significant damage to an important industry, but job and revenue loss would have a very great social and economic impact right across the province."

**1120**

The second part of the member's bill deals with the restructuring of the Ontario Racing Commission. Such action would be a retrograde step, as the present members of the Ontario Racing Commission are the most knowledgeable about the industry. In fact, the Ontario Racing Commission is admired by all other commissions in North America for being fair, innovative and progressive in its discussions. Actions of the commission in the past three years have been in the best interests of racing as well as in the best interests of the province.

Over the years, there seems to be a small group of persons near Greenwood who are trying to eliminate racing not only on Sunday but all days of the week. Sunday racing has been monitored very closely. There have been few, if any, parking problems; if there were, these problems would be addressed. In fact, the residents



surrounding the racetrack have been allowed to use the parking facilities of the track. Even part of the grandstand has been made available to charitable organizations for bingo and other uses.

In talking about parking, I would like to put a few other remarks on the record; these deal specifically with parking spaces. There are 4,994 parking spaces at Greenwood. On average, they are less than half full. During the last 13 or 14 months, they have been filled to capacity only once. Also, the Ontario Jockey Club introduced a 400-car free parking lot at the southeast corner of its property. On average, about 200 cars are parked in this lot during live racing, and about 70 cars are parked there during intertrack. That is free parking we are talking about, and it has been filled to capacity on only one occasion. So there is no reason for racetrack patrons to use area streets for free parking.

The racing commission is pleased to make available—I am sure it would make them available to the member if she was interested—aerial photos of Greenwood and the area taken on different Sundays during 1987. These photos make it clear that there is ample parking at Greenwood and that there is no traffic chaos as a result of racing operations.

Finally, I would like to put something on the record which was written by Harold Howe in the *Hamilton Spectator*. He goes on at length about the economic impact, but he also comments on the structural changes proposed in this bill, and I would like to make reference to them. I am quoting:

“Bryden also calls for an amendment to the Racing Commission Act, providing the commission be composed of seven members of whom only three may be representative of the racing industry. Of the remaining four, she wants one to live within half a mile of Greenwood, two within two miles of a racetrack in Ontario, and the chairman to be independent of both the industry and residents living in the vicinity of racetracks.”

Mr. Howe says, “In short, Bryden is calling for the governing body of horse racing in Ontario to be controlled primarily by people who have little understanding of the sport.” He concludes, “The results would be disastrous.”

We share Mr. Howe's concern and the concerns of thousands of individuals across this province. We will not be supporting this bill.

**Mr. Epp:** It is certainly a pleasure to participate in this debate. It seems odd to hear a member of this House promoting an action that could cause the loss of 4,000 jobs in Ontario. Make no mistake, Sunday racing is quite plainly

a job issue. It has created many positions in the Greenwood area and many more throughout Ontario. This bill would threaten the overall health of an industry directly employing 49,000 people in the province. By switching Tuesday races to Sundays, Greenwood racetrack brings in an extra \$600,000 per week on average. That amount of money buys a lot of horseshoes, pays a lot of grooms and keeps many farmers in business.

Not long ago our racing industry was struggling. Now we are the second-largest jurisdiction in the world, and Sunday racing at Greenwood helped put us there. In the face of recent massive increases in competition from American tracks, there is no doubt we would be in trouble again, fast, if this bill were to pass. Consider that a ban on Sunday racing and intertrack betting at Greenwood could cause the loss of 3,250 jobs in the standardbred industry alone. It is estimated that each point of revenue drop sparks a one per cent drop in employment at the track, off the track and in the supply sector.

No matter how you look at the figures, the loss of more than \$500,000 a week would be a hard blow to any industry. And the damage would not end with the loss of direct revenue; spinoff benefits seen in every sector would also be forfeited.

Small operators like the Elmira Raceway in my own constituency would be particularly hard hit. Rebates from taxes on betting revenues are used in part to improve purses at these small tracks. This helps the track horsemen, fosters good racing and ultimately brings in more people, who spend more money. This upward spiral could easily reverse itself if we suddenly pulled the plug on Sunday racing at Greenwood.

To use Elmira as an example, let's look first at the impact of lost tax rebates. This bill would cause a tax loss of \$2.4 million at Greenwood; two per cent of those taxes are rebated to the industry, in part to supplement purses at 17 small tracks across the province. As one of these 17 tracks, Elmira Raceway would be forced to cut purse money by more than five per cent if the supplement were decreased. This at a track where the current purses only barely attract enough good horses to provide competitive racing. Elmira is just now emerging from months of crisis. Without the help of the Ontario government, it would not have operated this year.

I might say in support of what the member before me said, that I have had some firsthand experience in dealing with the chairman of the



Ontario Racing Commission. I think he is an outstanding Ontarian and is doing an outstanding job as chairman of that commission.

This bill would effectively plunge Elmira into another financial tailspin. In fact, a local track official fears a cut in purses at this time would force Elmira to close. It would not be alone.

I have presented quite a few statistics and dollar figures, but what do the numbers really mean to the thousands of people involved in Ontario racing? They mean hardship. The negative impact of this bill will be felt from the Beach in Toronto to farm gates in Windsor, Sudbury, Ottawa and all points in between.

We can look at the effect of lost purses and lost revenues on real people, starting with the local horse trainer. The first thing he would do would be to reduce the number of horses in his string. Since he has less money to pay expenses, he has to cut costs. The incomes of blacksmiths, feed producers and many other support industries are also tied to the number of horses the trainer keeps. Fewer horses mean less income, and the fewer the number of horses racing, the poorer the competition. Fans start wandering away to bigger tracks, looking for better races. Elmira's revenues will drop again, and the downward cycle will continue.

Jobs at neighbouring Flamboro Downs are also threatened by this bill. Even though it is a large facility and does not receive purse supplements, the Hamilton-area track stands to lose \$5.3 million in gross betting revenues. Flamboro's potential difficulties are tied to the process involved in scheduling race dates. The track was permitted to run Sunday matinee races when nearby Mohawk Raceway gained the benefits of intertrack betting at Greenwood on Sundays. It was felt that with this new revenue, Mohawk would not be hurt by Sunday competition from Flamboro. Of course, if this bill were passed, Mohawk would lose that edge and Flamboro could no longer operate on Sundays.

The connection between Flamboro, Mohawk and Greenwood highlights how this bill would have such a devastating effect throughout the province. It is a guiding principle of the Ontario Racing Commission that, for the good of the industry, tracks must be protected from potentially damaging competition.

1130

Ontario runs more race dates than any other jurisdiction in the world. The schedules are carefully co-ordinated to provide for the largest number of events the system can efficiently support. That is why the change of this one day

has an immense ripple effect on the whole industry. The decision to allow Sunday racing at Greenwood was based on very real needs and was made as part of a package of changes such as the one mentioned at Flamboro. It is not an isolated component that can be yanked without hurting thousands of people.

Set specifics aside for a moment and let's look at the overall impact of withdrawing \$34 million a year from the industry's coffers. That money may not be labelled Elmira or London or Orangeville, but it makes its way to these places just as surely as do rebates. It gets to Woodstock, Leamington and Belleville in the hands of people who raise horses and win purses at Greenwood. It reaches Dresden, Barrie and Goderich in the overall quality and value of horseflesh fostered by top-notch racing.

Loss of revenue at Greenwood and Mohawk through intertrack wagering cuts are forecast to cause a decrease of 16 per cent in prize purses. For every percentage point drop in purses, 60 horses disappear from the Ontario racing scene. They go to the United States and the fans go with them. Stables lay off their trainers, grooms and other staff. They pack up their needs for horse feed, farriers and vets and take them all across the border. In places like Fort Erie, the fans are hot on their heels because they want good racing. They will follow the top horses into New York in a flash if we chase them in that direction.

If Sunday racing at Greenwood is so good for the economy in almost every corner of this province, think of the benefits it must provide closer to home.

I am surprised that the member for Beaches-Woodbine does not show more concern for the 85 people who found jobs at Greenwood as a direct result of the Sunday opening. These 85 permanent full-time jobs that have been created in this riding are very important to those people and to many other people. I am talking about maintenance staff, clerks, parking attendants and other Ontario Jockey Club employees. They will be among the thousands losing jobs if Sunday racing is stopped.

I am surprised the honourable member does not show more concern for the health of Greenwood racetrack itself. Does it not supply many desperately needed jobs? Does it not boost the local economy enormously? I will be much more surprised if this bill gets any amount of support, and I hope, of course, that the members of this Legislature take this bill very seriously and vote against it.



Just before I close, I want to mention two things. One is that I have a petition here signed by 175 concerned citizens who very much oppose this bill and have asked me, and other members of this Legislature obviously, to vote against it.

Second, I am very much surprised that the member has included in this bill one aspect which would give parking, land use densities and traffic flows and so forth to an appointed commission and—

**The Acting Speaker (Miss Roberts):** The member's time has expired.

**Mr. Epp:** —want to take it away from the elected members of council.

**The Acting Speaker:** Order.

**Mr. Epp:** I am very surprised at that.

**Mr. Reville:** It gives me great pleasure to rise and speak on behalf of the private member's bill of the member for Beaches-Woodbine, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission.

I have listened to the previous two speakers, and knowing both of the gentlemen, I can only surmise that they have never been to Greenwood Raceway on a Sunday or they would not be making such preposterous statements today in the Legislature.

Another thing that seems to me to be clear is that their speeches consist entirely of information provided to them by the Ontario Racing Commission, which, of course, is making its business case about the needs of the racing industry and, regrettably, takes no account of the needs of the community which lives adjacent to what is in fact a 100-acre facility surrounded on three sides by people's homes.

I think the Greenwood Raceway is unique in this regard in Ontario. There may well be racing facilities in the Waterloo North area. There may well be in Leeds-Grenville. I do not follow the racehorses around myself, so I do not know that; but I do know quite a lot about Greenwood Raceway because, having had the opportunity to serve for a number of years on Toronto city council, I had the opportunity to see not only the behaviour of the Ontario Jockey Club and the Ontario Racing Commission, but also hear at some length the concerns of residents who live close by.

The members opposite, both on the government side and in the third party, have recited a number of facts and figures which, of course, are irrefutable, I suppose, because we have not got

the data before us. It strikes me that this is not an unusual kind of dilemma to face a policymaker.

If members of the Legislature will try to think about industries that are known to be polluting, and given the increasing concern for the environment legislators have to deal with the threat that those industries consistently make to us, that is, "If you force us to clean up our operation, this will be at the risk of jobs or perhaps we will have to close down, and we will lose the jobs." We have two social goods competing. We have, on the one hand, jobs, which we know we need and which are important to the economy; on the other hand, we have the environment. Of course, if we destroy it, no number of jobs will ever replace it.

I put to you, Madam Speaker, that that is totally analogous to this situation. We have a facility that has been there for a very long time. Around it has grown or perhaps existed previously a community where people live, and until 1986 they did have their Sunday when they were not inundated by people going off to the races and behaving in the sorts of ways that people do when they go off to a recreational event of some kind. Some behave very well and some behave less well, particularly after they have lost their paycheque at the racetrack; sometimes they express their concern loudly and in other ways in the neighbourhood adjacent to the raceway.

The member for Leeds-Grenville (Mr. Runciman) made some astounding remarks. He suggested that my colleague the member for Beaches-Woodbine, being unsuccessful in the courts, was now seeking to do what she could not do in the courts through legislation. Well, that is true, and I am amazed that the member for Leeds-Grenville would find that remarkable. The reason the court challenges were unsuccessful was because of legislation, and what the member is quite properly seeking to do is to create a piece of legislation which would give the residents some input into decisions that are made by the racing commission that have a profound impact on their daily lives.

While they share some pride that we have managed to create—did the member for Waterloo North (Mr. Epp) say the second-largest racing industry in the world? But surely we do not want to create that at the expense of other people; that does not make sense to me.

**Mr. Epp:** Don't you take pride in it?

**Mr. Reville:** The member for Waterloo North wonders whether I take pride in something. Let me tell you, Madam Speaker, what I take pride in. I take pride in the right of people who are affected by an undertaking to be able to



participate in how that undertaking is run. That is a fairly common principle of democracy, which strikes me as something that we are bound to take pride in. None of us would be here if we did not take pride in that absolutely basic tenet of democracy.

1140

The Ontario Jockey Club and the Ontario Racing Commission have been profoundly anti-theoretical to input from anybody other than people in the racing industry. Of course, they are knowledgeable about the racing industry. How knowledgeable are they about community impact? Clearly, not very knowledgeable at all. It is one thing to know about horseshoes; it is another thing to know what the constituent parts of life in a community are. I submit that the people currently on the racing commission have little experience of and what appears to be little interest in impacts on communities. I am very sorry about that.

The member for Waterloo North talks about the boost to the local economy. Clearly, the member for Waterloo North has not been to the Beach on a Sunday to see how the local economy is booming, quite apart from any economic additions that the raceway has. In fact, I was out at the Beach last Sunday. It has a kind of very Coney Island atmosphere at this time of year with literally thousands of people from all over the city coming to enjoy some of the attributes of that area. Some of them were related to the race schedule, but most had come to the Beach to go to the local restaurants, to stop off and get an ice-cream cone on the sidewalk, to walk along the boardwalk, to enjoy the beautiful parks and to participate in the illegal Sunday shopping, I might add, that also sometimes seems to happen in that area.

The decision, I am told by my colleagues opposite, is based on the "real needs" of the industry. That may well be. I put to the members of the Legislature that what is missing from that examination is the needs of the people who live cheek by jowl with this raceway. The protestations that people can go and park on Greenwood Raceway property are just really absurd. People with any notion at all of the topography and of the location of those parking opportunities would know that if you live in the Beach triangle and you have to go and park in the Greenwood Raceway property, you would have to take a lunch to eat while on your way home.

Clearly, that is not a great advantage to the neighbours. In spite of these aerial photographs, produced by God knows what intelligence

agency, people ought to go and look at the tow-trucks pulling the cars that do not belong there out of the Beach triangle, cars that are parked right across one's driveway or on one's lawn. It is probably the only residential tow-away zone in North America, and that was not done for no reason at all.

I urge members of the Legislature to reconsider, to support the residents of this community, to send the bill to committee and make whatever suggestions for amendments they wish.

**Mrs. Marland:** In rising to speak to this private bill by the member for Beaches-Woodbine to ban Sunday racing and to other parts of her bill, I want to say at the outset that I am very sympathetic to the problem. I am sympathetic to the problem for the residents—the home owners and the tenants—who live in that community. I am also sympathetic to the member for her responsibility as an elected representative in this Legislature for the area that encompasses this problem.

I appreciated having a letter from her. There are some quotes in her letter that I want to refer to. She does explain very well to all of us that her concern has been, first of all, that the problem exists and that there has been no adequate public input into any of the decisions about the use of this racetrack. At the end of her letter, she urges us to support the principles of open government and community consultation by voting for her bill.

I want to say most assuredly to this member and to everyone else in this Legislature that I totally support the principles of open government and community consultation. Coming from a background of 12 years in municipal government, I believe for elected representatives community consultation has to be a way of life. Otherwise, if we do not consult with the community, how do we know what the community wishes in terms of our representation?

The difficulty I have, however, with this bill is that we are discussing this whole matter in the wrong forum. With my municipal background, as I have just described, I know very well these kinds of problems exist for any number of different reasons, any number of different uses within a community, but there are remedies at the municipal level for the parking, noise, garbage and congested transit problems.

I suggest it is rather ironic discussing it here, because this is an issue that is a municipal problem, while there is about to be a provincial problem, which I would like to discuss and have



resolved here, namely, Sunday shopping, and that is going to become a municipal problem.

I think when we look at this bill this morning, we should be looking at the local municipal options in terms of remedy. I know that for the residents in that area there is a horrific situation with parking, litter, noise, garbage and the other things the other members have mentioned this morning. I am not denying it, or even debating that there is not a problem. I acknowledge there is.

However, I suggest there are similar problems for those people who are fortunate or unfortunate, whichever their choice would be, to live adjacent to the Canadian National Exhibition grounds, for example, during Blue Jay or Argonaut games or rock concerts or other things that attract an inordinate number of people on Sundays to those events. Some people live adjacent to community centres, arenas, banquet halls, any of these public-use facilities, where on Sundays too there are events. In some cases, weddings take place on Sundays. Certainly, bingo is becoming a very popular heavy use of public facilities on Sundays.

1150

Where problems are generated by the use of facilities by the public, either publicly owned facilities or privately owned facilities available to the public, then the responsibility lies with the municipality to make sure that those uses are not an intrusion into that community, either by ensuring that sufficient onsite parking is available for those facilities or that there is sufficient transit service there that people are not bound to use their own vehicles and park them in front of other people's homes and private residences.

When I hear this morning that there is sufficient room in the parking lots at this racetrack, it confirms for me even more so that this bill is not necessary to remedy the problem. It is time that the municipality decided to enforce its own parking standards. If it does not have particular parking standards for this community, then it is very simple for it to pass its own bylaws, which might provide for parking prohibition on Sunday afternoons only, so it does not impede the use of those streets by the residents at other times. The municipality can prohibit parking between certain hours on certain days—whatever. All those choices are available to the municipality.

If I were an attendee at this raceway, obviously I would prefer to park for nothing in front of someone's house than pay whatever the parking fee is in the parking lot. As the member for

Riverdale (Mr. Reville) said a few moments ago, it may well be that I can park closer if I park in front of somebody's private home than if I park at the far end where the spaces are vacant in the parking lot for the racetrack.

In any case, there is a remedy outside of this forum. I cannot support the bill because I feel this Legislature is stepping into a municipal jurisdiction. If we do this with this issue, then if I were living adjacent to other sources of annoyance, like other public uses I have already outlined, and if I could not get a resolution through my own municipal alderman or councillor, I would be coming into this forum also and trying something else.

I might mention that I have had a little comment on this bill very recently from a member of my own Queen's Park staff, Mrs. Susan Carroll. She and her husband Chris live within the Beaches area where this problem exists. I have said to them I am not unsympathetic to the problem. I am simply saying to those people who live in those areas, let's use the right forum. If I were one of those residents or property owners, I would be down on the floor of Toronto city hall asking for the remedy if I had not been able to get it through my local representatives.

I think the people who live in that area have been fortunate because they have had their local MPP involved to the extent that she has seen fit to bring this bill here today. The remedy does exist, but it exists at the municipal level. I hope that we clearly do not feel we have to step into municipal areas to solve municipal problems, because we have more than enough to resolve at the provincial level. Even so, we currently seem to have a Liberal government that feels some of its provincial responsibilities should be referred to the municipalities, even though that is not the forum. Of course, I am referring to the subject of Sunday shopping.

Thank you for the opportunity to speak, Mr. Speaker.

**Mr. Haggerty:** With what little time is left, perhaps I will have to cover it in a hurry.

**Mr. Speaker:** You have two minutes.

**Mr. Haggerty:** I am delighted to enter the debate and speak on second reading of Bill 12, An Act to ban Sunday racing and intertrack wagering at Greenwood Raceway and to change the composition and procedures of the Ontario Racing Commission. I am here representing an area that has a racetrack. I live in the town of Fort Erie and I know the special interest the member



for Beaches-Woodbine has, as well as I do, in the Fort Erie racetrack.

I am rather astonished that the member is not concerned about the loss of jobs within the whole racing industry in Ontario if Sunday racing is banned at Greenwood. It will affect jobs at the racetrack in Fort Erie and in the town of Fort Erie, and 32,250 jobs are nothing to ignore.

I look at the situation in the past in Fort Erie and I have spoken on a number of occasions in the Legislature on the matter of horse-racing in Ontario. I think of the serious problem the Fort Erie racetrack had a few years ago and the difficulties it was facing. They almost closed it down until intertrack betting came into the picture. We can see the nice green grounds, the atmosphere and the environment in Greenwood on television at Fort Erie at the racetrack.

I suggest that the member is not concerned about it. The jobs that are there across the province are more important. In fact, horse-racing is one of the oldest industries in Ontario. It is perhaps one of the cleanest, looking at it environmentally. It is not a smokestack type of industry. Yes, there are problems of traffic in Fort Erie, but it is a local issue and the municipality has found a resolution to resolve that problem. I suggest to the member that I cannot support—

**Mr. Speaker:** I am sorry to interrupt the member, but there is a time allotment. The member for Beaches-Woodbine has reserved four minutes.

**Ms. Bryden:** I am disappointed to see that some members of the Progressive Conservative Party and some members of the Liberal Party are still in a love affair with the Ontario Jockey Club and the other people behind it. They appear to have no love for the democratic rights of the residents and appear not to be concerned about conflicts of interest within the racing commission.

Let me read who the present members of the racing commission are. Outside of Frank Drea, the chairman, there is Mr. Hayes from Beamsville, who has raised standardbreds and has a farm; Mr. Byrne, who raises horses and has a stud farm; Mr. Sherwin, who raises standardbreds and is also in the milk transport business; Mr. Graham, who is a roads contractor but breeds and owns thoroughbreds; Mr. Lang, who is a farmer and raises standardbred horses; and Mr. Addison, who sells cars and owns horses. That is the racing commission.

Also, it seems to me that we do have a possible charter issue here where residents are being

denied natural justice, the right to be heard and the right to have their concerns considered. I am very disappointed that the spokesmen, particularly for the Liberal Party and the member for Leeds-Grenville, gave us only the racing-industry side of the story.

All those jobs do not have to be lost; none of them has to be lost. They could be transferred to other racetracks. They would enhance the operations of other racetracks. If there were more activity at other racetracks, there would be less at this one overextended racetrack that is bearing far more than its share of the community burden for the racing industry in this province. There is lots of space at Woodbine for more races. There are probably lots of spaces at Fort Erie for more races.

The jobs are not necessarily linked only to Greenwood. I think it is a false premise to say that a whole lot of jobs are going to be lost. There are also jobs being lost at Greenwood because of traffic congestion, because of the fact that people cannot get to the other recreational activities and because of the fact that they cannot get to the stores and the restaurants, such as the McDonald's in the letter I read. So it is not a one-sided issue.

With regard to the 85 jobs mentioned as being created at Greenwood as a result of Sunday opening, what is a part-time job on a Sunday afternoon in the way of employment? It is not really adding to the employment situation and to the kinds of jobs we need. I think that those are all false, bogeymen that have been put up to make it look as though this is an unreasonable request.

**1200**

There was mention made of traffic chaos. When they took the aerial picture showing traffic chaos, it may have been after the races were all in; it did not show the chaos when coming and leaving. If they had taken a picture at the east-end Easter parade last year, they would have seen the most awful traffic chaos. This year, unfortunately, the skies opened up and there was not as big a crowd, but two years ago there was terrible traffic chaos in the middle of the Easter parade, which is an annual event that has been going on for 20 to 30 years.

**Mr. Speaker:** The member's time has now expired.

**Ms. Bryden:** I do urge the members to put aside their partisan loyalty to the jockey—

**Mr. Chairman:** Thank you. We have now completed the allotted time for debate on the two ballot items.



## TRADE WITH SOUTH AFRICA

**Mr. Speaker:** Mr. Velshi has moved resolution 31.

Motion agreed to.

1206

## GREENWOOD RACEWAY ACT

The House divided on Ms. Bryden's motion for second reading of Bill 12, which was negatived on the following vote:

**Ayes**

Bryden, Charlton, Cooke, D. S., Farnan, Grier, Mackenzie, Martel, Morin-Strom, Reville, Swart, Wildman.

**Nays**

Ballinger, Black, Brandt, Brown, Callahan, Carrothers, Conway, Cousens, Cunningham, Dietsch, Elliot, Epp, Faubert, Ferraro, Fleet, Haggerty, Harris, Johnson, J. M., Kozyra, Lipsett, MacDonald, Mahoney, Mancini, Marland, McGuigan, McLean, Miclash, Miller, Neumann, Nicholas, Nixon, J. B., Owen, Pelissero, Poirier, Pollock, Poole, Reycraft, Roberts, Smith, D. W., Stoner, Sullivan, Tatham, Velshi, Wilson, Wong, Wrye.

Ayes 11; nays 46.

The House recessed at 12:10 p.m.



## AFTERNOON SITTING

The House resumed at 1:30 p.m.

## MEMBERS' STATEMENTS

## WORKERS' COMPENSATION

**Mr. Laughren:** In my more than 16 years as a member of this assembly, there is no single issue which comes back to haunt members of the Legislature year after year as much as the problems of injured workers. There is virtually no MPP who does not have his or her office clogged with problems with our compensation system.

If it is not a problem of inadequate pensions, it is a problem of inadequate benefits. If it is not a problem of benefits, it is a problem of inadequate regional offices across the province. If it is not a problem with regional offices, it is a problem with vocational rehabilitation, or the appeal system, or a \$6-billion unfunded liability or a problem of older workers getting neither benefits nor alternative employment when they have had an injury.

I wonder how long it is going to take this government to understand that the system is a dinosaur and that the compensation we have in this province is inadequate. It will never meet the needs of injured workers and will never dispense justice to injured workers in the province. It is time that this government look at a major new social policy; namely, the development of a universal sickness and accident compensation system for the province, so that we can move finally into the 20th century in the way we treat injured workers in Ontario.

## HAROLD G. SHIPP

**Mrs. Marland:** It is indeed a pleasure and a privilege for me to rise today to share with this House the wonderful news of the appointment of the Mississauga Citizen of the Year, 1988. This gentleman's name is well known, not only, of course, within our city but also beyond the bounds of this province and this country and throughout the United States. The man to whom this honour has been given this year is Harold G. Shipp.

Mr. Shipp is perhaps one of the most worthy recipients of this award in the history of the award in the city of Mississauga. Ironically, the award is named for Mr. Shipp's father, Gordon, and recognizes in his name all that exemplifies

honour and caring throughout the municipality, the province and the country.

In mentioning that this award has been given to Harold Shipp this year, I also want to recognize that his father has received posthumously the award as being a member of the National Housing Hall of Fame in Washington in May 1988. As Harold Shipp shares this honour, he is supported by his family, his wife, June, and his children, Catharine, Victoria and Gordon.

## PETER LAING

**Miss Roberts:** I am very pleased and proud to rise in the House today to recognize one of the outstanding citizens of the city of St. Thomas, and indeed the county of Elgin, Alderman Peter Laing.

Alderman Laing has served the citizens of Elgin in a number of different roles, the most notable of which is his 54 years as a member of the St. Thomas city council. First elected in 1933, Alderman Laing has served four years as mayor and over 40 years as an alderman. Since being elected, Alderman Laing has served on many boards and commissions in the city. Now 84 years of age, he does not plan to seek re-election at the end of his current term, which started in 1959.

During his public service, Alderman Laing served for 20 years on the Catfish Creek Conservation Authority, five of those years as chairman. In 1941 Alderman Laing was elected to the board of trustees of the Memorial Hospital and served as chairman for six years.

His contribution laid the groundwork for the St. Thomas Elgin General Hospital, where he eventually served on the board of governors from 1955 to 1956. In his personal life, Alderman Laing won the 1923 wrestling championship for Ontario and competed in the Olympic trials in both boxing and wrestling.

He is also an elder of the Alma Street Presbyterian Church. I would ask you to join me in welcoming Alderman Peter Laing to the House today. He is sitting in the west gallery with his brother, George, and Mayor Janet Golding.

## SCHOOL FUNDING

**Mr. Farnan:** The parents of children at St. Vincent de Paul School in Cambridge are questioning why, before their new school is one year old, they will see several portables on site.



They are particularly angry that their school has no gymnasium.

This is almost unbelievable, when one realizes that the structure of the school was designed so that additional classrooms could be easily attached to the existing facility.

Why, they ask, design a structure that allows classrooms to be joined to the main building, and then add portables? They have difficulty understanding how the minister could have approved the new school facility without a gymnasium.

It is unacceptable for the Minister of Education (Mr. Ward) to state, as he did yesterday in response to my questions, that the capital request from the school board did not include a gymnasium. It is also unacceptable to brush aside the needs of the St. Vincent de Paul School community and assert that their concerns can only be addressed when the board makes its next capital submission in October.

The school board has already indicated that it is willing to proceed with the gymnasium and classrooms if the minister will allocate the required funding. I urge the minister to respond to the immediate needs of St. Vincent de Paul School, provide the funds for the gymnasium and, instead of portables, have additional classrooms attached to the main building.

We might ask if a school board made a request for a school without washrooms, would the minister approve it? In this case, the board made the request for a school without a gymnasium and the minister approved it.

#### HOUSING SUPPLY

**Mr. Cousens:** Last week I asked the Minister of Housing (Ms. Hošek) how many rental units she anticipated would be built in Ontario this year. In response, the minister invited me to visit with her and see some of the things that she had been showing the Quebec Minister responsible for Housing.

I have had an opportunity to analyse the relationship between the Ontario Minister of Housing and her Quebec counterpart. I think the House would like to know the truth about the discrepancy in the performance of these two ministers. It is an interesting thing to note that in 1987 Quebec had 26,644 rental apartment starts. During that same period, Ontario had only 10,909 starts, about 40 per cent of the Quebec total. Even after adding all the condominium apartment construction, the Quebec performance is still 10,000 units ahead of Ontario.

Last Thursday the Minister of Housing told this House that the Quebec Minister responsible

for Housing was here to observe just how well we do things in Ontario. In light of the fact that Quebec is miles ahead of this government in providing rental accommodation, her statement borders on the ridiculous.

One more revealing comparison between Ontario and Quebec. In Toronto, the vacancy rate under this government has dipped below 0.1 per cent, or less than one unit per 1,000. In Montreal, the vacancy rate is well over three per cent; three units for every 100 people. At the same time, Montreal had more than 17,000 rental unit starts in 1987 while Toronto only had about 3,700. Bad news.

#### PURCHASE OF SUBMARINES

**Mr. Tatham:** Mr. Speaker, what would you do with \$8 billion? Ask a western farmer and he might suggest part of the money for western agriculture. There are very bad drought conditions out there. Would an unemployed person in Newfoundland or Cape Breton have any idea where it should be spent?

Ask your friend in Environment, how much money could be used to clean up the environment? What about more money for schools? What about more money for hospitals? Has everybody got good housing?

What would you do with \$8 billion? Why, maybe buy some nice British or French nuclear-powered submarines.

1340

#### OSHAWA SPORTS HALL OF FAME

**Mr. Breagh:** I know members are anxiously awaiting the announcements for the Oshawa Sports Hall of Fame. Last night in Oshawa they had their annual ceremony, and here are the winners this year:

Sandy Hawley, who of course is one of North America's leading jockeys; Mike Keenan, one of the world's greatest hockey coaches and managers; a figure skater and coach, Anna Forder-McLaughlin; Robert Andrews, who was one of the founding members of the Neighborhood Association Softball Committee in Oshawa; and Ivan Richards, who headed the drive to form the Oshawa Ski Club and who has a grandson on the national ski-jumping team.

**Mr. Brandt:** On a point of order, Mr. Speaker: I would like to ask the consent of the House for unanimous approval to give a brief statement with respect to the 70th anniversary of the Armenian national republic.

Agreed to.



## ARMENIAN INDEPENDENCE DAY

**Mr. Brandt:** First of all, I would like to thank my colleagues for giving me this opportunity.

I am pleased to rise in the House today to pay special tribute to the Armenian people of Ontario as they reach two milestones in their history: first, the centennial of their arrival in Canada; and second, the 70th anniversary of the Armenian republic.

For many, immigration can be exciting and at the same time disturbing: exciting, for immigration can open new doors leading to peace, prosperity and happiness; but yes, disturbing as well, for certainly it is never easy to leave one's homeland and to settle in a new foreign country, often with foreign languages and foreign cultures.

This was particularly the case for the Armenian people, who did not leave their homeland per se but, perhaps more appropriately, fled their homeland. It is a terrible thing to be forced from one's own homeland. It is a terrible thing to look back on one's history, yes, with pride, but also with sadness over the atrocities, the lost lives and the persecution that occurred in that country.

Rather than dwell on these past atrocities, the Armenian people have shown courage and determination by forging ahead and carving out their own niche here in Canada.

We are the richer for it. We are not only proud of the Armenian spirit, but we are also thankful for it. They have shared with us their culture, their history and their traditions. They have set an example that many other immigrants or refugees, whatever the case may be, would be wise to follow.

On behalf of my party, and if I may be so bold, on behalf of the citizens of Ontario, I would like to send a sincere thank you to the Armenian people of this province for enriching our lives over the past 100 years. May that continue into the next century as well.

**Mr. Ruprecht:** On behalf of the Premier (Mr. Peterson) and the government of Ontario, we too would like to join in recognizing a special event that is of great significance for the Armenian community in Canada.

The important event that took place on this day 70 years ago was the proclamation of the Republic of Armenia on May 28, 1918. Of course, as was just mentioned, this date is of great significance to our Armenian community, and also to Armenians around the world.

Ontario and the Canadian nation have prospered through the courage and industry of people of many nationalities who have come to this land

in search of freedom and opportunity. On this day, we are especially mindful of the important contributions that our citizens of Armenian ancestry have made to our province and country since they first arrived in Canada to settle in the St. Catharines area.

The celebration of this anniversary fosters within us a deeper appreciation of freedom, of liberty and of democratic ideals. Therefore, I hope that all members of this Legislature can join us in remembering May 28 as Armenian Independence Day.

**Mr. B. Rae:** I am delighted to join with all the members of the Legislature in celebrating the contribution of the Armenian community to this country and also in remembering the extraordinary suffering which has accompanied the experience of the Armenians in this century.

It is perhaps worth recalling again the famous words of Adolf Hitler who is widely reported to have said, when he was confronted with those who asked him about his plans for the Jews in central Europe in the 1930s and 1940s and when he was asked about the impact this decision would have on mankind, "Who today remembers the Armenians?"

I can think of no more awesome words than those, because they remind us of the experience of the Armenian people and the tremendous changes that took place in Europe in 1914, 1915 and 1916.

The fact is that a people were nearly wiped out. In remembering the awfulness of that event, we also recall that it was that event which produced the first wave of Armenian immigration to this country. I do not have to remind honourable members of some of the remarkable contributions that the Armenians have made to this country. In every profession, in every walk of life, in every field of endeavour, the Armenian people have made a really remarkable and extraordinary contribution to this country.

Finally, I think it fully appropriate that even in an era of glasnost we recall and remember at this time just how difficult the experience of the Armenian people who are living in the Soviet Union today is. We realize that we are not aware, because the Soviet Union is still such a closed society, that we are not fully aware of the size of the demonstration, of the extent of the national feeling and of the experience of those who are punished and find it difficult to express themselves because they are not allowed to practise their religion freely. They are not allowed to express themselves in their own culture freely and they are not allowed to even speak their own



language as freely as they would like to be able to do.

So let us celebrate and remember in the way that we do the 70th anniversary, but let us also recall that it is a cause which remains with us, important to us, and one which is as much a cause of concern and outreach on our part as it is a cause for celebration.

## STATEMENT BY THE MINISTRY

### ONTARIO-OMAN EDUCATION AGREEMENT

**Hon. Mrs. McLeod:** I am pleased to advise the Legislature that this week I was privileged to sign an historic memorandum of understanding between Ontario and His Excellency, Minister al-Mantheri, Minister of Education and Youth for the Sultanate of Oman and Acting Vice-Chancellor of Sultan Qaboos University.

The signing represents the completion of efforts begun by two previous Ministers of Colleges and Universities, Dr. Bette Stephenson and the Honourable Gregory Sorbara.

This memorandum outlines several areas for mutual co-operation between Oman and Ontario, including such initiatives as English-language training, technical training in secondary schools and post-secondary institutions and administrative and management training.

This agreement embodies a new global spirit of co-operation in education, human resources development and technology transfer. It also represents a realistic assessment of the increasing interdependence of the nations of this planet.

Oman is currently going through a period of rapid development and economic diversification. I am confident that Ontario can play a co-operative role during this complex period of transition in the development of its most important asset, its human capital.

## RESPONSES

### ONTARIO-OMAN EDUCATION AGREEMENT

**Mr. B. Rae:** We want to simply note with interest the minister's announcement and look forward to notice of her own visits, which will no doubt be frequent and many as will be those of her colleagues. We look forward to all parties participating in a very active study of this question, which will no doubt require many onsite tours to make sure everything is going well.

1350

**Mr. Jackson:** I wish as well to join in the unanimous tribute of this House to the efforts of this government and past governments to effect this historic and significant agreement.

It is worth noting, of course, that the situation in the country that is mentioned has unique customs with respect to its approach not only to politicians, but politicians of specific gender. I think it is a tribute to Dr. Bette Stephenson that she has been and continues to be afforded a respect and appreciation quite unparalleled for a western political leader and a woman.

I think it is important that the House put in perspective that, although governments sometimes make statements and bureaucrats run around and effect agreements, in fact, it takes the vision and the dreams of individual politicians and their leadership to effect these kinds of historic agreements. For that, all members of the House can pay tribute not only to Dr. Bette Stephenson, the former member for York Mills, and her vision, but also to the current member for continuing that commitment.

**Mr. Brandt:** I would like to join my colleagues in the House in congratulating the minister on the signing of this historic agreement and indicate to her that one of the purposes, if I may sound so crass, in terms of the *raison d'être*, for signing this agreement and for establishing a contact in that part of the world, was also to improve the recognition of Ontario and the understanding and appreciation of Canada in that part of the world.

I think it comes as no surprise to the minister or to members of this House that there are many people in that part of the world who happen to be rather wealthy, who do not trade extensively with our part of the world, simply because we are not known to them. I could include many of the emirates that are placed in that particular section of the Middle East, places like Bahrain and Abu Dhabi and a number of other countries, all of which are beginning, I think, to have a greater appreciation for Ontario and the goods we can trade with and sell them by way of export opportunities. As well, we can build a very solid foundation of understanding between Ontario and that part of the world with respect to educational systems and the entire basis of the structure of the agreement we are going to be entering into.

I congratulate the minister. I wish her well, but I want to say to the Minister of Colleges and Universities (Mrs. McLeod) as well as to her colleague the Minister of Industry, Trade and Technology (Mr. Kwinter) that there are trade



opportunities there. I think those trade opportunities should be maximized as a result of this document and as a result of the inroads that this allows us to have with that country and others in that area.

### ORAL QUESTIONS

**Mr. B. Rae:** Mr. Speaker, I want to give notice that I was intending to ask a question today of the Premier (Mr. Peterson); and then if he was not here of the Attorney General (Mr. Scott). My understanding was that the Attorney General was going to be here.

Interjection.

**Mr. B. Rae:** Well, that was our information. It is a little difficult to do business if both senior officials who are responsible for the government's response on free trade are not here the day after the Attorney General holds a press conference. If he cannot even bother to be here, it is a little difficult to do business.

**Mr. Speaker:** Order. the question has been asked whether the—

**Mr. B. Rae:** I am asking the government House leader—

**Hon. Mr. Conway:** I am happy to respond to the Leader of the Opposition that it is my information that the Attorney General is in Quebec City attending a national conference of attorneys general today.

**Mr. Brandt:** Mr. Speaker, the clock is running. I think it is inappropriate at this time for the clock to be moving while we are discussing this matter.

**Mr. Speaker:** It is quite a sound suggestion. I will see how long this takes and then we might add some to the question period.

Do you have a question for another minister?

**Mr. B. Rae:** Of course I do. Is the Minister of Health (Mrs. Caplan) here? She was here earlier.

**Mr. Breagh:** Is there anybody here?

**Mr. B. Rae:** Is there anybody here? Is there anybody home?

Interjections.

### HOSPITAL SERVICES

**Mr. B. Rae:** Mr. Speaker, I would like to ask the minister a question, now that she is in the House. I have some more cases I would like to draw to her attention, but I would like to ask her in particular what her response is to this situation:

Mr. Fletcher is 69 years old and lives with his wife outside Belleville. She has Alzheimer's disease. He is the only one at home able to care

for her. He needs a new left total hip, which was originally scheduled for November 14, 1988. He has now been told this is being delayed until September 5, 1989. Mr. Fletcher has told us that he is so troubled by this that he is going to be asking his doctor to give him a referral to the United States. He would rather pay for the operation and get it done than to have to wait for this kind of period of time to get the operation carried out in Ontario.

I know the minister must feel this is an extraordinary indictment of our health care system.

**Mr. Speaker:** Question?

**Mr. B. Rae:** I wonder if the minister can tell us what precisely she is going to do to see that this example is dealt with, so that people do not have to wait for a year and a half and two years for operations that are essential to relieve pain and to allow people to get on with their lives.

**Hon. Mrs. Caplan:** The issue the Leader of the Opposition raises is one we have discussed a number of times in this House, one of waiting lists, which are not new in this province, nor are they new across this country or worldwide. As we address those, we are looking at what is the cause in the increase of some of those waiting lists and how we can respond appropriately through good planning to make sure people have the treatment as close to home as possible. That is why we have developed a regionalized approach to health care in this province, so that as people need treatment, they can have it as close to home as possible.

**Mr. B. Rae:** I cannot believe the minister is answering these questions in this way. She has now had notice from us and from the public of the extent of the problem. She has told us the question is one of planning. She has a chance to get her planning in place. I am asking her what she is going to do to get the list down.

Let me give her another example. A woman whose name is Louise Whyton, who is 39 years old and lives in Huntsville, needs to have operations on both of her ankles. She is housebound. She lives on a permanent disability pension. She is in pain all the time, and her operation has been postponed until July 1989.

Does the minister not appreciate that what she is doing by her stance of saying there is basically nothing she can do and nothing she will do is leaving these people on a list out there in limbo, in pain for as long as a year and a half to two years? That is happening right now as I speak. Why cannot the minister announce in this House the precise steps she intends to take to make sure



we begin to cut down on these waiting lists and allow these patients to get the operations they need? This is not a question of some frivolous cosmetic surgery.

**Mr. Speaker:** The question has been asked.

**Mr. B. Rae:** This is essential for these people's health and wellbeing.

**Hon. Mrs. Caplan:** Not to be misinterpreted, I want to be absolutely clear on this. There are no simple, quick or overnight solutions to a problem which has been growing and has been with us for some 5 to 10 years. We are looking at the short-term response, and we are doing that by meeting with and working with the district health councils, as I have recently done on cardiac care. We are looking at wherever there are long waiting lists right now to determine what an appropriate response is in the short term.

In the longer term, this is a result, in my view, of the kind of unplanned, unmanaged system which has resulted in longer lines than I believe are acceptable. What we are attempting to do at this time, through better planning and better management, is to make sure we do not have the kind of independent planning by hospitals, independent action of new and expanded programs which, in my view, result in longer waiting lines. I am determined to make sure we have the kind of system in this province which will allow us to address those issues not only in the short term, but in the longer term as well.

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**Mr. B. Rae:** The minister's definition of planning is from the same government whose planning on rent review has meant that people who got a rent increase in 1985 are going to be waiting until 1989 or 1990 to find out what their increase was supposed to be in 1985. It is unbelievable what her attitude is in terms of simply blaming the institutions, blaming the people who are attempting to wrestle with this problem and cutting back on their funding.

With respect to the Orthopaedic and Arthritic Hospital, the fact is it is going to be performing fewer operations this year because of the budgetary decisions she has made. Can the minister confirm that, as a result of her funding decisions in this particular example, the Orthopaedic and Arthritic Hospital is going to be performing fewer operations in a program that has been approved? She should not talk about all the stuff that has not been approved. This is an approved program by a doctor who is approved to perform this surgery. He has a longer waiting list because the hospital is unable to perform as many

surgeries this year as last year. Is that her definition of planning?

**Hon. Mrs. Caplan:** The Leader of the Opposition knows full well that there has not been one budget of a hospital in this province that has been cut. They have been increased over the last four years. Since 1984-85, they have been increased by some 39 per cent. To suggest the budgets have been cut is wrong and is a distortion of the facts.

**Mr. B. Rae:** All right. Let's get into this. If she wants to get into this—

**Mr. Speaker:** New question.

**Mr. B. Rae:** Is the minister aware that the Orthopaedic and Arthritic Hospital is going to be performing fewer of the surgeries I have mentioned, which I described to the minister over a period of weeks? Is she aware they are going to be performing fewer? If that is not a cut, just what is?

**Hon. Mrs. Caplan:** The Orthopaedic and Arthritic Hospital is but one of a number of hospitals across this province that offers services in the area of orthopaedics in hips, knees and other joints. It is one of a number. The Orthopaedic and Arthritic Hospital has experienced a deficit this past year because it expanded services above the ministry-approved level. We have asked it to come forward with a balanced budget.

What I am suggesting to the Leader of the Opposition is that if we say to hospitals to go forward and expand beyond ministry approval without that approval first, we will have longer waiting lists rather than shorter, because we are then saying to these hospitals: "Act independently. Do not consider the provincial objective of a well-planned and well-managed system."

My advice to the Leader of the Opposition is that he should be supporting our efforts in making sure that hospitals are fairly funded and that we should not deal with one individual in isolation from the whole plan. I would have expected his support for this kind of initiative.

**Mr. B. Rae:** If the minister is waiting for me to approve of her policy, which is to blame individual institutions in public, to do what she did to the Cambridge Memorial Hospital, which I regard personally as unconscionable in terms of the people who work at that hospital, in light of the information she had before her from her own report—it is unconscionable for her to do that—she is going to wait a long time. In fact, she is going to wait until hell freezes over because we are not going to do it. It is as simple as that.



I would like to ask the minister, with respect to the particular examples I am giving her, can she confirm that fewer hip replacements, fewer ankle replacements and fewer knee replacements will be performed by the Orthopaedic and Arthritic Hospital as a result of decisions taken by her ministry? Can she confirm that? Yes or no?

**Hon. Mrs. Caplan:** What I would like to state again in this House, as I have on a number of occasions, is that I do not believe that in this issue there are any white hats or black hats, nor am I in any way placing blame. If anyone wants to assess why we are having this difficulty, it is because over the years there has been an inconsistent message. I gave quotes previously from previous ministers who said, "You must have approval before you spend." Deficits are overspending.

We recognize there are problems. It was acknowledged a year ago by the former minister, who said, "We will give you a one-time adjustment and then we want you to work with us to bring forward balanced budgets that will allow the kind of planning we need in this province to ensure that each hospital can respond in a planned way to the needs of its community."

I think that is a reasonable approach and one that should be supported by everyone in the House. This is not a partisan issue. The fundamentals of our health care delivery system in this province are at stake. If we have hospitals operating independently, I suggest to the Leader of the Opposition, we will have chaos.

**Mr. B. Rae:** The minister talks about planning. She asks, "Who is going to plan?"

I am talking to the chief planner. She says she is in charge. I am asking her a question as a point of information. I am asking the minister, as the chief planner, can she tell us whether the Orthopaedic and Arthritic Hospital is going to be performing fewer operations this year than last year of the kind I have been describing in this House? Yes or no? I am asking that question.

**Hon. Mrs. Caplan:** The Leader of the Opposition, with all due respect, I think is being simplistic. What we are attempting to do is look across this province at how we provide those services. We have said to hospitals that we expect them to bring forth a deficit reduction program which does not jeopardize the delivery of essential services.

That is a very clear message and we are working with the majority of the hospitals in this province, which want to work with us in a planned and co-operative way to achieve the result that I know is the objective of every member of this House.

To single out one institution is, I think, an unreasonable approach to what is a province-wide system in delivery of health care. I want to tell him that the budget at the Orthopaedic and Arthritic Hospital has been increased over last year.

#### MINISTRY ADMINISTRATIVE COSTS

**Mr. Brandt:** My question is for the Chairman of Management Board.

Interjections.

**Mr. Brandt:** Do you want me to start over, Mr. Speaker? My question is for the Chairman of Management Board.

There appears to be somewhat of a dichotomy on that side of the House relative to the whole question of the level of service one gets for the amount of money one spends. From our perspective on this side of the House, it appears the more that is spent by that government, the less service people are getting. It is very evident in the health field.

I want to point out to the Chairman of Management Board one of the reasons that kind of a dichotomy is occurring with respect to the most recent budget of the Treasurer (Mr. R. F. Nixon) and the way the government is managing its funds.

Is the minister aware of the fact that the costs in the main office of his government, which deals with only the ministers and the deputy ministers, in a four-year period have gone up by some 50 per cent, which amounts to some \$22 million in that period of time? To put it into some perspective for him, my colleague the critic for the Ministry of Colleges and Universities tells me that is more than enough to build a brand new high school in Ontario. Does the minister think over 50 per cent is a reasonable increase for his bureaucratic functions relating only to ministers and deputy ministers?

**Hon. Mr. Elston:** The honourable gentleman chooses, I think, to overlook some very important features with respect to some of those expenses in main office. Some of those things deal with bringing the Ontario public service up into the automated age as far as some of the technology development goes with respect to some of our services. He forgets to include in that some of the administrative consolidations which have occurred in some of the new ministries.

I can tell the honourable gentleman that his point with respect to managing and delivering service is one we are always concerned about and, obviously, one we are always looking at ways of improving; but I can also tell him, from



my point of view at least, it would be more helpful if he acknowledged that major initiatives were being taken to upgrade the information and technology systems in the government of Ontario in a way that would be more appropriate to the times in which we live.

I can also tell the honourable gentleman, from my perspective, there are also important initiatives—for instance, the Premier's Council on Health Strategy—which have been included in the main office expenses for the Minister of Health (Mrs. Caplan). There are very many areas in which he will find there are some service-oriented or at least policy discussion initiatives which have been quite important new initiatives by the government, in which we will be delivering good service to the people of Ontario.

**Mr. Speaker:** Thank you. I think that is fairly complete.

**Mr. Brandt:** I would point out that the minister's response has absolutely nothing to do with service to people. What has happened while the government has been streamlining some of the sophisticated machinery the minister claims to have purchased, which has resulted in these increased costs, is that we now have a two-year waiting list in the Ministry of Health for hospitals to get approval for new programs. Two years they have to wait. We are over two years behind with respect to rent review. Those are just two examples of the kinds of delays that are resulting from this new sophisticated planning and management process that the minister has been bringing to play in the government of Ontario.

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Let me point out two specific ministries, because they always want to know, on that side of the House, how we could reduce expenses yet give more programs. This is not where we would be spending money, were we the government. In senior citizens' affairs, in the last four years their budget has gone up 154 per cent; not one dime has gone to a senior citizen. That money has gone to the bureaucrats, both the minister and the deputy minister.

I would point out that the second one is the Ministry of Intergovernmental Affairs where they do not even have a full-time minister. The costs in that ministry have gone up 144 per cent. How does one justify that when the Minister of Health stands up and proudly announces that hospital spending has in fact gone up 39 per cent?

**Hon. Mr. Elston:** The honourable gentleman has identified one of the new areas of activity, the creation, for the first time in the nation of

Canada, of a minister's position responsible for senior citizens' affairs. That area has been extremely busy and, in fact, has developed policy responses in a number of areas, which has spurred on the introduction of such pilot projects as one-stop shopping. It has been co-ordinating the studies with respect to nursing homes and homes for the aged; and, in fact, has been looking for the way in which we could manage questions of utilization of drugs and other very interesting items which, in fact, go directly to providing a better context for delivery of services to seniors. We have been lauded, and the Premier (Mr. Peterson) has been lauded, for taking the initiative for, in fact, putting that group together to co-ordinate the services of some 18 ministries so that they could be better made available to the people of Ontario.

In addition to that, in Intergovernmental Affairs there has been no one who has done more to assist in bringing Ontario into an international perspective, in upgrading the international presence of Ontario in some of the markets which are important to us, and in fact there are very many areas in which the member will see improved performance—

**Mr. Speaker:** Order.

**Mr. Brandt:** I have to say to the minister, if spending money is some sort of a measurement of government's success, they are going to be very successful over there, because they spend it with abandon and stand up and justify it. I notice that the minister did not mention the photo opportunities related, as an example, to Intergovernmental Affairs, the kind of slick brochures and the media releases which they are so good at. The cost of all of those things is incorporated in the numbers that I have given.

I would ask the minister to respond to another question relative to a ministry. In Government Services the increase has been even more dramatic. It has jumped from less than some \$800,000 to about \$1.5 million. In other words it has doubled in just one year. Now it is above \$2.1 million, or approximately a 200 per cent increase; a 200 per cent increase in that one ministry in a four-year period. Again I would ask the minister, and I know he is going to try very hard, how does he explain that?

**Hon. Mr. Elston:** I know that the honourable gentleman will want to get into that in more detail in estimates, but I can tell the honourable gentleman, for instance, that some of the expenditures are related, of course, to inflation and other items, if he wants the basic sort of thing. In addition to that, there is, for the first



time, a full-time Minister of Government Services (Mr. Patten) and, in fact, a parliamentary assistant who requires support services.

I guess I also have to say that I must remind the honourable gentleman who speaks about spending that, in fact, his office, and his government or his party, of course, are some of the people who are after more money on more occasions than one can shake a stick at.

**Mr. Jackson:** Oh come on. Rent control has gone to \$40 million from \$7 million. More money and more civil servants. Just throw it at the problem.

**Hon. Mr. Elston:** He sure is. He tends to wish to deny it but what they want to do is be compensated at a level of the 50-some members that they had some two or so years ago and, of course, they want to spend the money but they do not want to take credit for the fact that they are spending more money per member than anybody else ever has.

**Mr. Brandt:** Let me stop the minister for a moment because his answers are becoming—

**Mr. Speaker:** Order. New question.

**Mr. Brandt:** New question, same minister, same theme, same problem. Over the course of the past four years, the government has hired some 7,000 additional civil servants or will by the end of the fourth budget its Treasurer has brought in. Although we recognize that there is a need, perhaps, to advertise for some jobs for particular positions, does the Chairman of Management Board not think it is excessive in terms of advertising that on one day, March 26, 1988, there were 20 ads for some 37 positions in the civil service that were advertised in one newspaper, the Toronto Star, at an estimated cost of \$80,000? Does he not think that is excessive in terms of expenditure of taxpayers' money?

**Hon. Mr. Elston:** I do not know the exact details on the date in question, but I can tell the honourable member that those types of questions are ones in which I am extremely interested when they are brought to my attention. Obviously, we take very seriously his suggestion as to how we might advertise much better, but I can tell the honourable gentleman this: one of the things we wanted to do with respect to the civil service when we came in was to open it up and make it much more public in terms of access to the jobs that were available.

From my standpoint, it is important that we make those advertisements so that people actually know there are jobs available. There are certain extents of the advertising which, of

course, concern me, and the very basic numbers about which the honourable gentleman informs me are obviously of interest to me. I will take a look at the date on which those occurred, and I thank him for raising it with me.

**Mr. Brandt:** I want to focus down even a little more clearly for the minister so he has no difficulty doing his research. I want to show the minister one single ad, one day: over \$11,000 for one position. Would the minister not think that much for one ad in one newspaper is excessive?

**Hon. Mr. Elston:** I am not sure, but I think—I was trying to read what the ad was for. I think it is the Ontario Development Corp. perhaps, although I am not certain of it.

Certainly, there are certain situations which I would like to look into. The exact numbers I am not certain of there, but if, in fact, it was put there by the Ontario Development Corp., as I suspect—I think that is what I read. I cannot get any acknowledgement from the honourable gentleman. Can he read it? Is it the Ontario Development Corp.

**Mr. Brandt:** Chief systems officer.

**Hon. Mr. Elston:** For the Ontario Development Corp.?

**Mr. Brandt:** Yes.

**Hon. Mr. Elston:** It takes him a long time to respond. He had to have help from the chief whip or the House leader.

I can tell the honourable gentleman that when it comes to the ODC, there are certain things it does with its budget, obviously, that are of concern. I have taken note of the exact cost, as expressed to me by the honourable gentleman, and I will take a look at that.

I can tell the honourable gentleman that one thing the Treasurer and I have discussed from time to time, and in fact just recently, is with respect to advertising, receiving suggestions from internal sources.

**Mr. Speaker:** Thank you very much.

**Mr. Brandt:** That particular ad ran on May 10, but it ran in two of the three Toronto newspapers on May 5. It is interesting to note that this is for a one-year contract position. I pointed out to the minister that the cost of this ad is \$11,000, and you can multiply that, of course, when you have to advertise in a second newspaper.

I have taken an estimated cost of the two ads that ran on May 5 and it comes to some \$30,000, just about the amount of money they would spending for the very person they are going to hire on a one-year contract. If that makes sense to



the minister, the logic of it escapes me completely, when the cost of advertising for the position is almost as much as the pay the individual would be getting.

In all fairness, if the minister is looking to cut back the budget, looking to reduce expenditures so some assistance can be provided to the Minister of Health, to the Minister of Housing (Ms. Hošek) and others who need funds, why does he not cut back on this excessive, unnecessary kind of advertising and government expenditure?

**Mr. Speaker:** Order.

**Hon. Mr. Elston:** I am glad the honourable gentleman has brought the issue to my attention. Obviously, it is something about which I have already had some correspondence with respect to people in the area of the Minister of Industry, Trade and Technology (Mr. Kwinter). Some of the people from the Human Resources Secretariat in my office have, in fact, brought to the attention of others the fact that there are large amounts being spent on ads like that one. I have not seen it yet so I cannot exactly identify it.

But I can tell the honourable member that his suggestion is a good one. In fact, when some expenditures like that are made, I believe that it is an improper sort of activity. I believe that, in fact, there should be things done about it and I am determined to get to the bottom of an expenditure of that sort of money which I believe to be wasteful. I think that the member has made a wonderful suggestion.

If, in fact, the total cost was \$30,000 for a position for a one-year contract, I agree wholeheartedly with him. I cannot disagree with him and I think that something must be done with respect to that item. I have no problem agreeing with the honourable member.

#### TRANSMISSION LINES

**Mr. Charlton:** I have a question for the Minister of Energy. I am sure the minister will be aware of the current situation in the Glen Shields community in Vaughan, abutting the parkway belt hydro corridor, a corridor that has been approved for the construction of four hydro lines, two 230 kilovolt lines and two 500 kilovolt lines. That corridor was approved, based on a set of hearings and an environmental study that was done in 1972, prior to the passage of the Environmental Assessment Act and the criteria set out in that act.

In view of the fact that the minister is well aware of both the additional criteria that were set out in the Environmental Assessment Act and the

fact that there are a number of environmental and health concerns around electromagnetic fields associated with high voltage transmission lines, will the minister direct Ontario Hydro to postpone additional construction on that corridor until such time as an environmental and health study update has been done on the potential impact of that corridor on the citizens?

**Hon. Mr. Wong:** In answer to the honourable member's question, first let me say that whenever we talk about electromagnetic fields and radiation, this government does show its concern. In particular, I would like to point out that Ontario Hydro has been looking at the effect of electromagnetic fields on public health for more than 10 years.

I think that to make proper rational decisions, we have to look at the best scientific evidence that is available. In looking at the relationship between electromagnetic fields and human health, I recognize that the World Health Organization, the federal Department of National Health and Welfare and our own Ontario Ministry of Health have shown to date that there is no cause-and-effect relationship.

Based on that kind of knowledge I believe that the hearings and the decisions which said that it was perfectly valid for the building of these lines to take place are acceptable.

**Mr. Charlton:** The minister is correct that the best scientific knowledge is inconclusive, but it is also contradictory. There are accurate studies or at least authentic studies which indicate both problems and no problems. So the answer to the question is inconclusive.

The minister is aware that the corridor has been approved for four transmission lines. Hydro is proposing, within the next year, to put up the transmission line which will be closest to the residences and therefore to the citizens and their children.

Will the minister at the very least, if he is not prepared to demand that Hydro postpone, demand that Hydro put the next line on the far side of the corridor, away from the homes, while the studies continue and we reach some useful conclusions on the health effects?

**Hon. Mr. Wong:** My understanding is that Ontario Hydro is considering the proposal which the honourable member has referred to. In addition, I would like to respond to the first part of his supplementary question by indicating that I am pleased to note that Ontario Hydro and our health authorities continue to monitor the scientific evidence. In fact, Hydro recently contributed by setting aside a budget of \$3 million to



help perform a study, along with Hydro-Québec and the electric utility of France, in order to determine the potential effects of electromagnetic fields on workers.

### COMMUNITY SAFETY

**Mrs. Cunningham:** My question is to the Minister of Health. As the House knows, a young girl was brutally attacked on March 31 in London. There are many concerned parents and families across this entire province who have asked for a public inquiry regarding two patients who were out on unescorted day passes from the St. Thomas Psychiatric Hospital. The government refused to initiate a public inquiry. An internal review took place which produced no answers to our questions. Then, on May 5, the minister made a statement, five weeks after this brutal incident, that an independent assessment of the risk management systems at psychiatric hospitals would be followed as soon as possible. That was on May 5. It has been three weeks since the minister made this announcement. What are the results of her independent assessment?

**Hon. Mrs. Caplan:** The issue that the member raises is one which, over the course of the last few weeks, we have discussed and I think is of concern to all members. I think it is important that, when she is discussing this, she use the correct terminology. In fact, patients in psychiatric institutions do not receive day passes. Day passes are something which criminals in correctional institutions receive as part of their parole provisions. We are talking about patients in psychiatric institutions who are on Lieutenant Governor's warrants. These are, as she knows, reviewed by the Lieutenant Governor's Board of Review, which is independent under Mr. Justice Thomas Callon.

In fact, as a result of the review that we undertook, I wanted to be sure that we had the very best possible risk-management system available in our system. I have asked outside experts to come in and look at not only what we are doing but what is happening in other jurisdictions to see if what we are already doing now can be improved upon within our psychiatric hospitals. I expect that review process could take some time.

**Mrs. Cunningham:** With regard to Lieutenant Governor's warrants, that response is totally unacceptable. The victims' families across this province—victims, I underline; plural—are reliving their agony. In fact, I received a letter today that the minister also has in her file from a mother who said her daughter is still receiving threats

from one of these people. Our party does sincerely care about families and protecting young children. Obviously, protection of families is not important to her government, or it is certainly not a priority.

What a mess—internal reviews, external reviews. It has been eight weeks since this young girl was assaulted and all we get is more time, more internal and external reviews. We get nothing. She is passing the buck. What specifically is she going to do? We are not letting up on this one and we are not waiting weeks. Something went wrong. What is she going to do to correct it?

**Hon. Mrs. Caplan:** First, I am offended by the member's question. Second, if any family is receiving threats, it should report that immediately to the police. As she knows, there is a case right now before the courts. What we are talking about is the federal Criminal Code which mandates the process for Lieutenant Governor's boards of review. She knows quite well, and is very well aware of, how this process works.

I suggest to her that we are, in this province, ensuring that the system within our psychiatric hospitals, which have the responsibility to implement those warrants—once this independent board of review determines the appropriate warrant—is the very best risk-management monitoring system available. That is what we are attempting to do. To suggest, as the member has, that there is some way that we are not responsive, I suggest to her, is inaccurate and misleading.

**Mr. Speaker:** I listened very carefully to the final words of the minister and I was not certain, but it sounded as if there was an accusation there.

**Mr. Brandt:** Yes, there was.

**Mr. Speaker:** Order. I wonder if the minister would withdraw.

**Hon. Mrs. Caplan:** It is not an accusation at all, but she is mistaken. That is the word I should have used.

**Mr. Speaker:** I understood the minister to use the word "misleading." Will you withdraw?

**Hon. Mrs. Caplan:** I withdraw the word "misleading." I intended the word "mistaken."

### HOUSING ON GOVERNMENT LAND

**Mr. Tatham:** My question is for the Minister of Housing. Back in September 1971, in report no. 14, Cities for Tomorrow, page 44, the Science Council of Canada "endorses the plea of the Task Force on Housing and Urban Development: municipalities and regional governments should be encouraged to acquire, service and sell



(or preferably, in the council's view, lease) all, or a substantial portion of, the land required for urban growth."

Is this a desirable policy for Ontario?

**Hon. Ms. Hošek:** It is obvious that one of the most important resources for making housing available to people of various income levels is the cost of land, and that is the reason our government has decided to use our government lands for the purposes of making housing available to more people. It is also true that some of the municipalities with which we have been actively working in the last little while also have access to land and are prepared to use their land as part of the equation leading to the kind of answers that we need for housing for people who need help with their housing.

It is also important to say that in using our lands, I think we are showing the way and leading the way in indicating how land can be used well. We hope that the federal government decides to take our lead and follow up on it and use its not inconsiderable resources all over the province for the same goals and in somewhat the same way.

**Mr. Tatham:** I just wondered, though, what other land policies the government is advocating to encourage the building of homes for low-income earners.

**Hon. Ms. Hošek:** In our meeting with municipalities, one of the things we have done is encourage them to make better use of the land we have. Part of the equation is making sure more land is available, which we are doing with our land, and municipalities that do have land are prepared to do the same thing.

The next thing is that we use the land we have in a more effective way. Some of the statements that we have made and the work we are doing under the Planning Act and in our work with municipalities is to encourage them and to make it possible for them to use our lands more effectively, for example, to allow different kinds of zoning policies, to make sure the new developments that are built have a component of housing in them that is particularly meant to serve people who have more difficulty affording the housing that we have.

I think we are going in the right direction, but it is also clear that the work we are doing with land has to be much expanded and members will be hearing in the next while more about more pieces of land that the government has identified as surplus and that will be used for the purposes of helping people with housing problems in this province.

## VISITOR

**Mr. Speaker:** Just before I recognize the next questioner, I would like to ask all members of the assembly to recognize in the Speaker's gallery, from the Sultanate of Oman, the Minister of Education and Youth, His Excellency Yahya Mahfoudh al-Mantheri. Please join me in welcoming His Excellency.

## HOSPITAL SERVICES

**Mr. B. Rae:** I have another question to the Minister of Health. The minister has been heard on many occasions in this House to basically lay the responsibility for the problem in the health care system on the hospitals and to say that hospital management has made certain decisions and is going to have to carry the can for its own mistakes.

I would like to draw the minister's attention to a report which has been funded by the ministry. It has the exciting title, *Some Aspects of Utilization Management in 20 Ontario Hospitals, Abridged Version*. I will do my best to bring this to life.

The main finding of the report is this: "There is no clear, specific mandate for the management of utilization laid on hospital boards by provincial legislation." That is the first sentence of the major finding of this report.

I wonder if the minister can tell us, does she not feel a little sheepish getting up in this House and saying it is the hospitals' fault that they have made the wrong decisions and have authorized some programs that have not been approved, when what this report tells us is that it is the government's own responsibility for not having the legislation which clearly lays out the mandate of public hospitals.

**Hon. Mrs. Caplan:** The issue the Leader of the Opposition raises is one which I am concerned about and we are reviewing that report right now, but it is not related to the planning process for new and expanded programs and increases in services within the hospital. I want to make sure he understands that I have not placed the blame, nor have I said that the responsibility is wholly with the hospitals of this province.

I have said repeatedly in this House that the majority of the hospitals in this province balance their budgets—in fact, 25 per cent of them have surpluses—and the overwhelming majority of them want to work co-operatively with the ministry as we head to a well-planned, well-managed and fairly funded hospital system.

**Mr. B. Rae:** If the minister is saying that the problem of utilization, the use of beds, has



nothing to do with waiting lists and nothing to do with delays and nothing to do with budgets, then I say with the greatest possible respect, she does not know what she is talking about.

Anybody would understand that the utilization problem is related very directly to this question of budgets, to the question of delays, to the question of bed blocking. Talk to anybody in the hospital business, talk to any doctor, and they will tell her that. Talk to any patient who is waiting for an operation, and that is what they know instinctively.

Again, I want to come back to a simple question, because the minister seems to have difficulty answering simple questions. Can she tell us what her response is to this indictment of the failure of the provincial government to have the legislation in place which will clearly set out what the responsibilities are, how the hospital system is to be used and what kind of powers hospital boards are to have? Can she tell us what her response is to this specific criticism?

**Hon. Mrs. Caplan:** To relate this particular issue to the question of how we respond to hospital deficits is not really dealing with the approach we have taken, which is to review those which have had chronic deficit problems and to have us, through this process, determine a fair reimbursement system so that we can have hospitals adequately resourced for the programs which have been approved in advance by the ministry.

I have acknowledged that there are many challenges to the Ministry of Health. The utilization issue is one we are reviewing at this time. I established the Scott task force to look at utilization issues and make recommendations to me so that we could review the use of medical services in the hospitals and see what those additional pressures are.

What we have been talking about in this House in review of hospital deficits is that hospitals cannot work in isolation as they expand programs and as they add medical staff and services which the ministry has not had an opportunity to approve in advance.

All we have been saying very clearly is that we want to work with the hospitals in this province co-operatively to achieve our goal of a well-planned, well-managed and fairly funded hospital system. It is simple. I do not know why the Leader of the Opposition does not really understand what it is I am attempting to get across to him.

**Mr. Eves:** I have a question for the Minister of Health as well. As we speak, one Orene Price of

Mississauga is in Detroit having laser surgery of the endometrium. The Ontario health insurance plan has told Mrs. Price that the only doctor in Ontario who performs this type of surgery is Dr. Stopps of Hamilton. However, the laser at McMaster University Medical Centre is not operational for this type of surgery because her ministry refuses to pay the \$20,000 necessary for the safety equipment to make it operational. Yet the government can waste \$30,000 per day on an ad like this.

First, we had perinatal cases and infants being transferred to Buffalo and Manitoba. Then we had cardiovascular surgeons saying they are afraid they are going to have to start sending their patients, because of long waiting lists, to the United States as well. Now we have certain types of laser surgery we cannot perform in Ontario and we have to send them to Detroit—

**Mr. Speaker:** And now it is time for the question.

**Mr. Eves:** —because the minister does not have the \$20,000 because her government cannot manage its money. Is this the minister's idea of a world-class health care system?

**Hon. Mrs. Caplan:** What I have said repeatedly in this House and outside this House is that our health care system, compared with others around the world, performs remarkably well. But there are enormous challenges and many problems.

I am not aware of the specific example the member has brought to my attention. I would be pleased to look into that.

1440

**Mr. Eves:** You don't have \$20,000 today, but you have got \$30,000 to spend on an ad.

**Mr. Speaker:** Order. The member for Parry Sound (Mr. Eves) has a supplementary? I will recognize the member for Parry Sound. No? The member for Mississauga South.

**Mrs. Marland:** Ms. Orene Price is a constituent of mine and my question is based on this fact. It is very serious, of course, that she has to go to Detroit in the first place. But added to the fact that she has to go, which in itself I think is a disgrace that she has to leave our world-class health care system in Ontario, she has had to borrow US\$6,000 to pay up front for this surgery.

That US \$6,000 does not include her food, travel or alternative accommodation. She does require accommodation because she is actually an outpatient, and these services are all being paid for out of her own pocket. If it were able to



be done in Ontario, it would actually be a few hundred dollars, as little as \$174.

**Mr. Speaker:** Question.

**Mrs. Marland:** My question is, can the minister tell this House and Orene Price why the minister refuses to have repaired cost-saving machinery that would save the hospital as well as the patients thousands of dollars, and will she be willing to reimburse this patient?

**Hon. Mrs. Caplan:** I said I would be pleased to look into this particular case, but as a matter of policy, we know there are some procedures not available in Ontario. Where this is an accepted procedure, the Ontario health insurance plan does pay the cost to make sure that residents of Ontario insured by OHIP have access to those services wherever we have to take them to get those services. That is one of the things we are very proud of.

What I want to say is that in this particular case I would be happy to look into the circumstances of it, because from the information the member has given me, I think there are some questions that should be addressed.

#### SOCIAL SERVICES

**Mr. Owen:** I have a question for the Minister of Community and Social Services. Ontario enjoys a network of support services for those in need that is envied by many other countries around the world. Certain countries such as the Federal Republic of Germany have achieved commercial and economic success and have also maintained a certain network for their social services, but the United States does not enjoy that same reputation.

My question to the minister is, in light of the possibility of the trade deal going through with the United States, are services to those in need in jeopardy? Can we survive the thrust of the United States and will we be brought down to their level rather than bringing them up to ours?

**Hon. Mr. Sweeney:** In response to a previous question along those same lines, I had indicated that there is nothing in the free trade agreement itself which specifically says that our social services would be in jeopardy.

But last Friday I had the opportunity, along with a number of staff people from our ministry, to spend the day with Robert Kuttner, who is the economics editor for the New Republic magazine in the United States. As part of that discussion, we raised the question with him as to whether or not he felt Ontario's and Canada's social service programs could be in jeopardy.

His response was that the essential difference between our two countries is that in the United States there is a perception that money which is used for social programs is in fact diverted away from economic growth and economic prosperity, whereas we here in Canada have found that happy balance between economic prosperity and social justice.

He felt very clearly that we were placing that balance we had here in Canada in jeopardy if we succumbed to the free trade agreement. His sense was that all future examinations, proposals and initiatives would in fact have a third party at the table. That would be the American government's policy, attitudes and philosophies. I think there is some danger.

**Mr. Owen:** My question was directed as to the programs we presently have in place. If in fact there is going to be this third party at the table in the future, when we are looking at future needs and future problems, will we be having interference not only from the United States but also from Ottawa as to what we can do to meet the needs and problems of our own province?

**Hon. Mr. Sweeney:** The difficulty we are facing right now, as the honourable member will be aware, is that in the last few days the federal minister responsible for carrying the free trade initiative has indicated very clearly that, if necessary, the federal government is prepared to override provincial jurisdiction.

My colleagues will be aware of the fact that the Quebec government, which was a supporter of the free trade agreement, has now come out very, very strongly in expressing its concerns about the ability of a province like Ontario that has a well-developed social service system to be able to maintain that system under this free trade agreement. I have grave reservations about our future ability to maintain what we now have, never mind to expand and grow beyond what we now have.

#### COMMERCIAL CEMETERIES

**Mr. Swart:** My question is to the Minister of Revenue. I would like to inform him that Pleasant View Memorial Gardens in Thorold owns 69 acres of expensive land. On that land they have buildings worth about \$750,000, yet that company pays not one cent of municipal or business tax. Of course, the other commercial cemeteries in Ontario are given the same kind of exemption by the government.

Apart from the very close ties those commercial cemeteries have with the Ministry of Consumer and Commercial Relations—in fact,



with the government—how can the minister justify those property and business tax exemptions for the commercial cemeteries?

**Hon. Mr. Grandmaitre:** I cannot really give the proper answer or the answer expected by the member for Welland-Thorold, but I will certainly look into it. I know it not only touches my ministry, it also affects two or three ministries. If the honourable member will be good enough to provide me with the information, I will certainly follow this up.

**Mr. Swart:** I am astounded that I have to provide the minister with information when he has been the minister for seven months now and when the other ministers he has followed, since his government has been in power, have said they were examining this matter.

The minister must know now that monument builders have to pay property tax to the municipality, and business tax as well. He must know that funeral homes have to pay the same sort of thing. He must know that home owners have had a dramatic increase in taxes over the years. Why can he not make a sensible and reasonable statement to this House now that he is going to require them to pay taxes like all other commercial enterprises?

**Hon. Mr. Grandmaitre:** I can tell the honourable member, but he already knows, that nonprofit cemeteries do not pay any municipal taxes. He is absolutely right, but we keep trying to improve these taxation programs every year. This is not new. The member has raised it on a number of occasions. We will continue to look into it and improve it until the law satisfies every Ontarian.

#### HOSPITAL SERVICES

**Mr. McLean:** I have a question directed to the Minister of Health. I have two letters from constituents of mine who have a problem with regard to surgery. They have been put off until 1989 and 1990. I do not know what appears to be wrong with health in the province today. I am wondering what I should tell these people who have a problem with delayed surgery until 1990. What should I tell these people?

**Hon. Mrs. Caplan:** I have addressed this a number of times in this House. As the member knows, I am attempting to address, both in the short term and in the longer term, the planning we need to be able to make sure that—

**Mr. D. S. Cooke:** If you had, we wouldn't have to ask the question.

**Hon. Mrs. Caplan:** While I have no overnight or simple, easy solutions to the mismanagement of the health care system of the past, we have made significant progress since 1985 with the kind of planning and management that I think will resolve some of the issues with which we are faced.

1450

**Mr. Harris:** I am surprised that the minister would blame her colleague, who is now the Chairman of Management Board of Cabinet (Mr. Elston), for problems that have occurred in the health care system. I realize that since 1985 things have been deteriorating and deteriorating rapidly, but to place all the blame on him is really not fair.

I would like to ask the minister what advice she has for Jim McMillin of North Bay. He suffers from arthritis, needs corrective surgery consisting of stainless steel and plastic. The estimated cost is \$4,500. Dr. Welch at Wellesley Hospital informs him that because of ministry cutbacks to hospitals, he has to wait until 1990, two years, for the corrective surgery for a 65-year-old gentleman in my riding.

I would like to ask the minister what advice she has for this gentleman. Should he be going to the United States? Is there any assurance he will be able to have this operation in anything less than two years? Could she not find \$4,500 from the advertising budget of the Minister of Industry, Trade and Technology (Mr. Kwinter) and have this surgery performed today?

**Hon. Mrs. Caplan:** I am very proud of the progress we have made since 1985. As I said, hospital budgets have increased by some 39 per cent since we took office. We announced an unprecedented \$850-million capital program for some 4,000 additional beds across this province. They are in various stages of planning. We know it is going to take some time and that many of those waiting lists are a result of the years of unplanned, unmanaged health care that his previous government left us to deal with.

#### ALTERNATIVE MEASURES FOR YOUNG OFFENDERS

**Mr. Callahan:** I have a question that was actually triggered by the last question asked yesterday in question period of the Minister of Community and Social Services. I would like to ask if, in order to trigger the use of the alternative measures program, there has to be an admission of guilt and whether that has to be made known to the crown attorney as well as to the people in the



minister's office who will be approving the alternative procedure.

**Hon. Mr. Sweeney:** Under the federal Young Offenders Act, the authority to initiate an alternative measures program is the responsibility of the Attorney General (Mr. Scott). On April 7, I believe it was, the Attorney General transferred that responsibility to my ministry.

The basis of the alternative measures program, as we now have it in place, does require a young offender to admit the offence he has committed and to indicate that he has regrets for doing it and wants to participate in an alternative measures program. That must be made known to the crown attorney. It must also be made known to the provincial director in my ministry who will administer the program. On the basis of that, an alternative measures program may or may not be made available to that young person.

## PETITIONS

### RETAIL STORE HOURS

**Mr. Wildman:** I have a petition signed by 90 residents of the Hamilton-Wentworth area. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned citizens of Ontario, residing in the region of Hamilton-Wentworth, support the intent and recommendation of the all-party committee of the Ontario Legislature and the ruling handed down by the Supreme Court of Canada rejecting wide-open Sunday shopping and recognizing the need for a common pause day for family nurture.

"We, therefore, call upon Premier David Peterson and his government to pass province-wide legislation rejecting wide-open Sunday shopping and uphold Sunday as our common pause day."

I have signed the petition.

**Mr. Harris:** I would like to also table a petition to the Lieutenant Governor and the Legislative Assembly of Ontario as follows:

"We, the undersigned, beg to petition the Legislative Assembly of Ontario as follows:

"We humbly object to Sunday store openings. Let's not leave this issue up to the municipalities. This is the responsibility of the provincial government."

This is signed by some 60 persons. I have affixed my signature and I would also like to add congratulations to my secretary, Rose Schmalz, who has taken a whole bunch of coupons and made it into a very presentable petition.

## NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr. Swart:** I have a short petition here.

"To the Legislative Assembly of the province of Ontario:

"We, the undersigned, are opposed to the cancellation of the following eight courses at Niagara College of Applied Arts and Technology: bilingual secretary; college vocational; dental hygienist; library technician; mechanical drafting technician; survey technician; and theatre arts."

This is signed by 495 people from the Welland area, bringing the total petitions now to over 1,000. I fully endorse this petition.

## TAX INCREASES

**Mr. Pollock:** I have a petition signed by 2,000 irate ratepayers of Ontario, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."

### RETAIL STORE HOURS

**Mr. Philip:** I have a petition signed by 39 residents of Ontario, primarily residing in York west.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We believe in the importance of keeping Sunday as a common pause day so that all people may have physical, spiritual and social health. We are concerned about the quality of life and the wellbeing of the people of our province and we object to the further commercializing of life through the Liberal government's proposed Sunday-shopping legislation."

I have signed that. I have a petition signed by 12 members of St. Andrew's Catholic Church in my own riding, with similar wording, which I have also signed.

## TAX INCREASES

**Mrs. Marland:** I have a petition signed by 2,000 irate taxpayers of Ontario, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."



"The Ontario budget contains excessive tax increases, which are a direct attack on the middle class. I object and I demand that you repeal them."

I, too, have signed this petition and I appreciate the fact that the Treasurer (Mr. R. F. Nixon) remained in the House this afternoon to hear this petition. I am quite sure he is not going to bring forward the bills that—

**Hon. R. F. Nixon:** On a point of order, Mr. Speaker: As this rather unfair attack on a budget which has been well accepted by most reasonable citizens has continued, and is really simply a federal campaign by Garth Turner to secure his nomination in a losing cause, I would suggest that it would be out of order, now that the New Democratic Party has decided not to support Garth Turner, for the third party to continue in this rather unfair approach to try to get unfair advantage for Garth Turner in his attempt.

I really feel that Garth Turner—

**Mr. Speaker:** Order. I listened very carefully. The member stood on a point of order. I believe that was just a point of information.

#### RETAIL STORE HOURS

**Mr. D. S. Cooke:** I think they have both gone too far. I have a petition, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned citizens of Ontario, residing in the region of Hamilton-Wentworth, support the intent and recommendation of the all-party committee of the Ontario Legislature and the ruling handed down by the Supreme Court of Canada rejecting wide-open Sunday shopping and recognizing the need for a common pause day for family nurture.

"We, therefore, call upon Premier David Peterson and his government to pass province-wide legislation rejecting wide-open Sunday shopping and uphold Sunday as a common pause day."

I have signed the petition as well.

1500

**Mr. Speaker:** The member for Durham East.

**Mr. Cureatz:** Thank you very much, Mr. Speaker—pant, gasp, as I race back into the assembly.

I have a petition signed by 75 people in my riding, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Ontario Legislature not to pass legislation that would pass responsibility for regulating Sunday and holiday retail hours to the municipalities in Ontario. Rather, the Ontario government should revise its current legislation in order to uphold more strongly a common pause day across the province. We believe that a common day for family and worship activities is essential to the wellbeing of Ontario."

I have also signed the petition.

**Mr. Laughren:** I have a petition from a large number of constituents, mostly in my constituency but one from the community of Mindemoya, of all places.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"In recognition of the importance of a day of pause in our Canadian society, we ask that the Retail Business Holidays Act be maintained and strengthened and that the act remain under the jurisdiction of the Ontario Legislature, rather than be transferred to local municipalities for administration."

**Miss Martel:** I have a petition signed by 39 residents in my riding. They all work at Tasse Automobiles and they have written to the Lieutenant Governor and the Legislative Assembly of Ontario to urge the Liberal government to maintain the Retail Business Holidays Act under provincial jurisdiction and to not allow for wide-open Sunday shopping.

I have signed my signature to this and I agree with them.

#### REPORT BY COMMITTEE

##### STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Philip from the standing committee on public accounts presented the committee's First Interim Report 1988 and moved the adoption of its recommendations.

**Mr. Philip:** It gives me great pleasure to table the first interim report of the standing committee on public accounts of the 34th Parliament. The report makes strong, constructive proposals regarding ways of achieving more efficiencies and increased effectiveness in the administration of the Ontario health insurance plan and in the delivery of mental health services in this province.

This is a tough and comprehensive report, and much of the credit must be given to the work and objectivity of all members of the committee, regardless of political persuasion. As chairman, I am grateful for the members' co-operation,



which is an indication of their commitment to the need for effective public accounts process in this province.

The tabling of this first report marks the adoption of new processes which the committee is now following. Some of these processes recently adopted by the committee are unique in the Canadian context. Others have been selectively adopted from other jurisdictions. I encourage all members to read this very tough and interesting report.

On motion by Mr. Philip, the debate was adjourned.

## MOTION

### STANDING ORDERS

Hon. Mr. Conway moved that the provisional standing orders be extended to remain in effect until 12 midnight on Thursday, June 30, 1988.

Motion agreed to.

### INTRODUCTION OF BILLS

**Mrs. Stoner:** The purpose of the bill is to ensure that deaf people are not discriminated against—

**Mr. Speaker:** Order. Would you just introduce the bill first and then you can give an explanation following that?

### DEAF PERSONS' RIGHTS ACT

Mrs. Stoner moved first reading of Bill 143, An Act to provide for Certain Rights for Deaf Persons.

Motion agreed to.

**Mrs. Stoner:** Thank you, Mr. Speaker. Thanks for the pointers on how to do this first time up.

The purpose of the bill is actually to ensure that deaf people are not discriminated against because they are accompanied by hearing-ear dogs that are used by deaf people as guide dogs. The bill extends to deaf people with guide dogs the rights that are now enjoyed by blind people with their guide dogs under the Blind Persons' Rights Act.

### INCORPORATED SYNOD OF THE DIOCESE OF HURON ACT

Mrs. Cunningham moved first reading of Bill Pr51, An Act respecting The Incorporated Synod of the Diocese of Huron.

Motion agreed to.

**Mrs. Cunningham:** I just want briefly to describe it.

**Mr. Speaker:** I am sorry. This is a private bill, not a private member's bill. Therefore, there is no explanation.

### VIC JOHNSTON COMMUNITY CENTRE INC. ACT

Mr. Offer moved first reading of Bill Pr33, An Act to revive The Vic Johnston Community Centre Inc.

Motion agreed to.

### OWEN SOUND YOUNG MEN'S AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION ACT

Mr. Lipsett moved first reading of Bill Pr45, An Act respecting the Owen Sound Young Men's and Young Women's Christian Association.

Motion agreed to.

### ORDERS OF THE DAY

House in committee of the whole.

### NORTHERN ONTARIO HERITAGE FUND ACT (continued)

### LOI SUR LE FONDS PATRIMONIAL DU NORD DE L'ONTARIO (suite)

Consideration of Bill 116, An Act respecting the Northern Ontario Heritage Fund.

Étude du projet de loi 116, Loi concernant le Fonds patrimonial du Nord de l'Ontario.

**Hon. Mr. Conway:** If I might, Madam Chairman, I would like to ask unanimous consent for the minister to take his seat on the front bench and for his staff to join him on the floor of the chamber.

**Mr. Laughren:** On that point, Madam Chairman: I would agree to that as long as the government House leader sits beside him.

**The Deputy Chairman:** I would ask for unanimous consent of the House to allow the minister to sit in the front row for the duration of this bill and that his staff be allowed to sit in front of him.

Agreed to.

### 1510

Section/article 6:

**The Deputy Chairman:** I believe we were considering an amendment to section 6 of Bill 116 that had been proposed by Mr. Pope. I had made a ruling with respect to the first part of that amendment and that is where we left it.



**Mr. Pope:** Just a point of clarification, Madam Chairman: is that ruling now confirmed?

**The Deputy Chairman:** It was confirmed when I said it. If you wish to challenge it, you may do so.

**Mr. Pope:** I thought you might say that. I was just checking.

**Hon. Mr. Conway:** Two lawyers should be able to get along.

**Mr. Pope:** Yes.

Puis-je poser une question au ministre? Si le gouvernement a l'intention de proposer des amendements de la même façon que moi pour donner une garantie d'au moins 30 millions de dollars chaque année pour le Fonds pour le bénéfice des gens du Nord de l'Ontario, j'ai compris que Madame la Présidente avait pris une décision concernant mes amendements, mais le gouvernement peut proposer les mêmes amendements pour garantir un montant de 30 millions de dollars chaque année. Est-ce que le ministre peut proposer ces amendements lui-même?

**L'hon. M. Fontaine:** Après consultation, je prends la décision de suivre ma loi telle qu'elle est écrite aux paragraphes 6(1), 6(2) et 6(3).

As you know, this is a budget item under standing order 15 and we are not changing the "may" for "shall" and the rest.

**The Deputy Chairman:** I think that was your response to that.

**M. Pouliot:** Merci. Ce que mon collègue le député de Cochrane-Sud (M. Pope) suggérait était quand même la simplicité toute nue. Ce n'est quand même pas compliqué. Au point de vue de la juridiction, le ministre peut le faire.

Ce qu'on demande, c'est de rendre la loi un peu plus solide. On sait très bien que le ministre est bien intentionné, qu'il a l'intention, le désir, la sincérité et l'opportunité. Ce que mon collègue de Cochrane-Sud exige, encore une fois, c'est un amendement assez simple: c'est de donner aux gens du Nord toutes les possibilités de bénéficier, avec certitude, de l'intention du ministre. Au risque de me répéter, nous croyons, nous savons que le ministre est sincère. Le ministre s'est permis d'informer la Chambre à plusieurs reprises de son intention de faire ce qui est proposé ici, sous forme d'amendement, par mon collègue distingué de Cochrane-Sud.

Étant donné la sincérité du ministre, étant donné aussi l'expertise qui l'entoure, je demanderais au ministre pourquoi il ne choisit pas de profiter de cette occasion pour enfin mettre sur papier la logique, le bon sens proposé par mon collègue et ami de Cochrane-Sud.

**L'hon. M. Fontaine:** Madame la Présidente, je voudrais rappeler au député de Lac Nipigon (M. Pouliot) que moi, je me fie sur ce que le trésorier (M. R. F. Nixon) a mis dans son budget, je me fie sur ce qui s'est passé au Cabinet, je me fie sur ce que j'ai annoncé en Chambre et je me fie sur les directeurs du comité, les directeurs qui seront élus et qui seront nommés. Ils peuvent être certains que leur argent sera là.

Puis cela, on l'a dit à maintes reprises, dans un discours du trône et dans deux budgets, comme tu l'as répété à peu près cent fois depuis trois ou quatre débats. Alors, je—

**M. Pouliot:** J'invoque le Règlement, Madame la Présidente.

**The Deputy Chairman:** A point of order.

**M. Pouliot:** Je ne crois pas là, avec tout le respect que je peux commander et tout le respect que j'ai pour le ministre, que l'ambiance actuelle, le protocole de la Chambre et les bonnes manières permettraient à mon bon ami le ministre du Développement du Nord (M. Fontaine) de me tutoyer quand on parle ici d'un projet de loi qui est quand même assez sérieux, la deuxième lecture du projet tant attendu, le projet de loi 116. C'est «vous».

**L'hon. M. Fontaine:** Il me semble que je dois rappeler à mon honorable ami du Lac Nipigon qu'un jour, il m'avait traité de pire que cela. Alors, je retire le «tu» pour l'appeler «vous».

**The Deputy Chairman:** Order. The comment was made by the member for Lake Nipigon. I do not believe it was a point of order. It was a comment. Minister, I would ask you to proceed and to complete your comments.

Interjections.

**M. Pouliot:** Fais pas de menaces, René, quand même pas.

**The Deputy Chairman:** I would request that all members of the House be very careful with their language whether it be in English or French.

Minister, do you have anything further you wish to say?

**L'hon. M. Fontaine:** Écoutez, je ne le menace pas du tout.

I am not menacing anybody. "Menace" means I threaten. I am not threatening anybody. I am sorry if I said "tu" instead of "vous." I am going to go back to "vous."

**Mr. D. S. Cooke:** It is safer when you just sit on your seat and say nothing.

**The Deputy Chairman:** Order.



**Mr. Ballinger:** Somebody said you were getting better; it is obvious you are not.

**The Deputy Chairman:** Order.

**Hon. Mr. Fontaine:** First of all, I want to say I am standing on what I said. I am not changing the bill.

It is a budget item and I say that there will be a board and the board will decide. It will make sure the money is there and deposited in time through the Minister of Northern Development. I will receive the money and I will put it there. If I am not the minister, there will be somebody else and the board will be there because it is named by the act. So I am not worried about the amount of money that will be there.

That is all I have to say.

**Mr. Pouliot:** The intent—we collectively did believe after the budget announcement of May 20, 1987, there was an allocation of \$30 million for the purpose of the northern Ontario heritage fund. We also believed shortly thereafter, during the course of a speech from the throne when another layer of bureaucracy was put forth. We are fully surpassing one year in time, and none of the \$30 million that was allocated in the budget of May 20, 1987, has been spent.

1520

We wish to act, by way of an amendment, in terms of a collective effort here, to give the Minister of Northern Development (Mr. Fontaine) the tools, the opportunity to help him in his commitment to make sure that the \$30 million will be deposited. Surely the people of the north should not have to go on for another year, in view of the past performance, where the money was promised and the money was not spent.

What the people of the north are saying is: "We are ready to believe one time. We welcome the fund, although it is not very much. Please put the \$30 million on deposit." It is a reasonable request. It commits the government. It helps the people of the north in planning.

I have searched long and hard, along with my colleagues, to find any flaws associated with this reasonable request. Honestly, I was unable to find any. The Treasurer (Mr. R. F. Nixon) has said that \$30 million would be forthcoming. I, like my colleague, would say the Treasurer said it. The Treasurer would not—would he?

Let's have the \$30 million so we can pass this bill and go on with other legislation that is pressing and give people of the north a chance to have another serious look at their proposals. They have been waiting for a long time.

**Mr. Pope:** Just so that we are clear, I take it the minister has said all of the amendments to subsection 6(2) are not acceptable, not just the "may" and the "\$30 million," but also the second set which related to unconditional transfers. Yes? The minister is then saying that all aspects of the amendments to subsection 6(2) are not acceptable to the government.

I just want to explain very briefly what this means. We are not talking about the Treasurer's allocation to the northern Ontario heritage fund through the allocations to the Minister of Northern Development. We are not talking about the Treasurer's process. We are talking about the transfer of moneys by the minister to the fund and to the board that is administering the fund.

This minister is not willing to guarantee that he will in fact transfer that money every year to the board and to the fund. By sticking with the word "may," that leaves it entirely up to the minister as to whether or not the money allocated by the Legislature and by the Treasurer through the regular budgetary processes will be transferred to the fund. The minister may—and that is what the word is, "may"—decide not to transfer the moneys that have been allocated under the budgetary processes, and the minister wants those kinds of words left in the legislation.

We had a guarantee last year of \$30 million. It was not forthcoming. We know now it will not be paid into the fund. Now it is lost to the people of northern Ontario. Now we have a Minister of Northern Development who will not in the law guarantee that every year at least \$30 million will go into the fund, the way the Premier (Mr. Peterson) and the Treasurer and the cabinet have said and promised the people of the north they would do.

If they do not want to put it in the law, that means it is entirely within the discretion of this government as to whether or not it is going to pay out any money whatsoever and whether or not it is going to attach any conditions to the money, because the second part of the amendment to subsection 6(2) removes the phrase, with respect to the grants, "subject to such conditions as the Lieutenant Governor in Council considers advisable."

Under the wording of this clause now, the cabinet can attach conditions on the transfer of funds to the fund and to the board of directors administering the fund that are entirely outside of the act. They can attach conditions and, therefore, the money will not be spent. They can attach conditions which will make it impossible



for the board to allocate these moneys to people in northern Ontario.

We want to remove that and say that these grants must be unconditional, save and except that the fund must be used in accordance with the law, in accordance with this act, and that the money should be deposited in a branch of a chartered bank or financial institution in northern Ontario. As a sign that this fund is truly for the north, the money will be in the north. The Minister of Northern Development will not accept that amendment as well.

In other words, in spite of their words, in spite of their promises, we have no guarantees whatsoever. We have a situation under this law where funds can be withheld, where funds can be less than the \$30 million at the whim of the cabinet and the minister, where conditions entirely outside of this law can be attached to the money. The money will rest here in Toronto, maybe even here in Queen's Park, maybe even in a consolidated revenue fund and never find its way into northern Ontario into the financial institutions there.

That is why I moved the amendments. That is why I urge the government to accept the amendments. It is obvious they are not going to, and I regret that very much.

**Mr. Harris:** I will not be able to support section 2 of the legislation. In fact, when I gave my support to this legislation on second reading, I certainly was under the impression that the minister would be receptive to correcting what I considered to be a few little oversights in the bill, so that the bill would conform with the speeches and the rhetoric he has given over the last year.

I want to say that I understand the \$30 million. I am not so hung up that the \$30-million figure be in the legislation. I do not understand why the minister would not want to put it in. He has made such a wonderful brouhaha about saying that it is guaranteed for 12 years. That amendment just says it will not be less than that. By not accepting that, he is telling the people of northern Ontario that he would like to reserve the right to cut the \$30 million any time in the next 12 years.

There can be absolutely no other reason not to want to have that in the bill. So the people of northern Ontario should understand. The government has announced \$30 million a year for 12 years, but it is not prepared to put that into the legislation. As has been pointed out by my colleague the member for Cochrane South, last year we had the big announcement. The Premier announced it and the Treasurer announced it. Did

we get the money? No. So all we are asking for in the legislation is that that guarantee be made.

That in itself would not cause me to necessarily change my vote from second reading to third reading. We cannot move the word "may" to "shall." It has been ruled out of order, as the chair very correctly ruled and we so humbly accepted.

Really, that is something only the minister can do. Only the minister can say: "I am true to my word. I honestly tell you people that the legislation I am bringing in means that the money shall go into that fund each year." That is all it is saying; but no, the minister wants to have in the legislation the word "may."

He wants to be able to hold it over the board. He wants to be able to say, "This is a northern board, on the one hand, with some freedom." Look, they get to a point, all the guys or women or whoever, where they have control over the appointments. But even with that control, they do not want that board to have the independence. They want to maintain the right to hold it over their heads and say, "If you do not do as I say or as Big Daddy Peterson says, I do not have to transfer the funds and therefore you will not have the money."

I do not understand why the minister does not want, himself, to just change the one word "may" to "shall" and "peut" to "doit." I do not understand that, because it is in the minister's interest. It is consistent with what the minister has said. We know that the rug was pulled out from under the minister by the Premier and the Treasurer last year, and this would make sure that cannot happen and it would assure the people of the north that the money would go in there.

**1530**

I would ask my colleague the member for Cochrane South if he would move the third part of his amendment as a separate amendment, because I want to see the Minister of Northern Development and the northern Ontario members of this chamber stand up and say: "No, the money must go into a southern Ontario bank, we have to have that option."

The third part of the amendment, which will be in order, I am quite certain—

**The Deputy Chairman:** It is in order and I have so ruled. It is an amendment that is already before the House.

**Mr. Harris:** We are dealing with that amendment?

**The Deputy Chairman:** Yes.

**Mr. Harris:** All those other comments I am making do not have to do with the amendment,



but you have allowed me to do it. Madam Chairman, you are very kind. If, in fact, that amendment has been ruled in order and is before us, let me now speak to that amendment.

I say to the minister, I do not think he wants to send a signal to northern Ontario that there is not a bank or an institution in the north that is capable of handling the \$30 million. If that is the signal he wants to send out, then he can go ahead and oppose it, but in my view he is making an error by not moving himself to change "may" to "shall", and a very serious error in not supporting the amendment put forward by the member for Cochrane South.

**Mr. Morin-Strom:** I cannot understand why the Minister of Northern Development will not stand up for northerners on this issue. The minister has given the Treasurer the right to make the decision, and the minister surely knows what happened last year. Last year, the Treasurer made a commitment on behalf of the government and then reneged on that commitment and provided zero dollars out of the \$30 million he committed to.

Now the minister, in this section, has allowed the government—including the government House leader sitting next to him, who is coaching the minister on—that southerners should make these decisions—the Premier, the Minister of Mines (Mr. Conway), who is from southern Ontario—should carry the weight of the decision in future years as to whether \$30 million each year will go into the fund. All the minister will say is that they "may" make grants. Surely the minister could stand up for the north and say that this bill should be changed to say "shall" make grants to fulfil the government's promise of \$30 million per year.

This promise has to be viewed as one that means absolutely zero, when in the only year in which we have experience in terms of this promise, last year, the commitment of \$30 million was reneged on. We received zero out of that \$30 million. The minister, who is supposed to be representing the Ministry of Northern Development, says nothing in opposition to the actions of his own Treasurer, the actions of those other cabinet ministers who obviously pulled more weight than him in terms of seeing whether that \$30 million was going to be put into a fund for northern Ontario.

We received zero out of that first commitment and now, again, we certainly have to question how anyone in northern Ontario can put trust in a bill that provides nothing in terms of assurances that any of the promise of the \$360 million over

12 years will in fact go into this fund. There is not even a mention of the \$30-million figure in the bill and there is no commitment that any funds whatsoever will go into this fund.

I ask the minister to reconsider and defend northern Ontario for a change.

**Mr. Pope:** I know the minister may want to say something in a few seconds in response to what has been said, but I just want to reiterate that the second part of the amendment to subsection 6(2) deals with removing any conditions imposed by cabinet on the allocation of moneys by the minister to the board and to the northern Ontario heritage fund.

Second, it requires the government to place the annually allocated moneys in a bank account or in a financial institution account located in northern Ontario, a branch of that institution or bank in northern Ontario. Whether it be a bank account in Thunder Bay, a bank account in Hearst or a financial institution account in North Bay or in Timmins is up to the government, but all we are saying is put the money in a branch of one of these institutions in northern Ontario.

**The Deputy Chairman:** Are all members ready for the question? Shall Mr. Pope's motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion, the nays have it.

Vote stacked.

**The Deputy Chairman:** With respect to section 6, are there any other amendments? I have no other amendments before me.

Section/article 7:

**The Deputy Chairman:** With respect to section 7, it was my understanding that the member for Cochrane South had an amendment. Is that correct?

**Mr. Pope:** The amendment is as follows, that subsection 2 of section 7 be amended by deleting in the second line thereof the words "and signed by the Treasurer of Ontario."

The reason for the deletion of those words is that we believe this corporation administering this fund should have the right to decide to issue guarantees and that these guarantees are binding upon the fund and upon the corporate entity administering the fund.

**The Deputy Chairman:** Before you continue, may I put the motion?

**Mr. Pope:** Sorry.

**The Deputy Chairman:** Mr. Pope moves that subsection 7(2) be amended by deleting in the



second line thereof the words "and signed by the Treasurer of Ontario."

**Mr. Pope:** The effect of this is that any guarantee issued by the board of directors of this statutory corporation will be binding upon the corporation and the fund and need not be signed by the Treasurer of Ontario. This gives independence to the board to administer the fund which it is supposed to be administering. I think it is perfectly reasonable that the Treasurer butt out and allow the board of directors to administer the fund, including giving guarantees.

**Hon. Mr. Conway:** On a point of order, Madam Chairman: I have to say, for the very reason the articulate member opposite has just given, that this amendment too fails the test of standing order 15.

**Mr. Harris:** Are you challenging the chair's ruling?

**Hon. Mr. Conway:** No. I am just making the observation that on the basis of the interesting and eloquent argument made by my friend from Timmins, the member for Cochrane South, I would argue and vote, therefore, that his amendment fails the test of standing order 15.

**Mr. Harris:** This is probably as serious as a couple of the others and perhaps more serious than some of the other amendments. By leaving in the words "signed by the Treasurer of Ontario," it in effect says the Treasurer of Ontario has control of this fund. Yet the whole purpose, the whole *raison d'être*, the whole big hoopla, the whole speech all across the north is, "We've got our own fund, administered by northerners, controlled by northerners."

This one is even worse than section 6, because in section 6 the minister could hold back on the "may" or the "shall"; it was just the Minister of Northern Development. I think he is less likely than the Treasurer to hold the funds back to be spent in the north, although "subject to the conditions of the Lieutenant Governor in Council" means the cabinet sets the conditions and then the money cannot flow at all.

So, I know that the minister, having listened to the member for Cochrane South, is going to want to accept this amendment, because, if he does not accept this amendment, he is saying: "It's not my fund. I'm not in charge. I can appoint the people or the Premier will appoint the members to the board, the cabinet will set the conditions, they may or may not give the money; and now we are finding out that whenever we are dealing with guarantees, if the board recommends it and I

recommend it, the Treasurer really has the say on this fund."

1540

I am quite certain that the minister will want to accept this amendment. I will be shocked if I find out that is not the case because he will be saying: "No, no. I disagree with you. I don't think the fund should be controlled in the north. I think it should be controlled by the Treasurer of the province of Ontario." We all know what happened last year when we left it there.

**Hon. Mr. Fontaine:** Again we hear we cannot go on. Somebody has to be responsible for the money that we are going to grant to some committee and the Treasurer is the one who is responsible. I think we had some experience a few years ago or a few months ago with another corporation which made some loans and it was questioned here in the House for many, many months. That is the reason we will put that in from now on.

The board can do what it wants, but still, in the end, the province signs or somebody signs—

Interjections.

**Hon. Mr. Fontaine:** Never mind, never mind—

Interjections.

**Hon. Mr. Fontaine:** I did not say that at all, OK? The Treasurer is responsible for the consolidated revenue. It is accountability that we are talking about, accountability. I sit over here and I talk to the people in northern Ontario about it. I talk to the mayors, I talk to the northern development councils and they argue with me that we do it this way, because there was—

**Mr. Harris:** You are the chairman of the committee. Is it you that the Treasurer can't trust?

**Hon. Mr. Fontaine:** First of all, when he talked, when the member for Nipissing (Mr. Harris) was making his points for the first time, I sat and I did not say a word so I think I should finish.

This applies only to guarantees, not to the northern Ontario heritage fund grants or loans.

**Mr. Pouliot:** On a point of order, Madam Chairman: The member for Renfrew North, the House leader for the government, has drawn the attention of the House to standing order 15, and I am quoting: Money bills, etc., "require a message from the Lieutenant Governor." The last part, if I may, also mentions, "and shall be proposed only by a minister of the crown." I would assume, by reading standing order 15, that



yes, indeed, the minister has that power if he so wishes.

**Hon. Mr. Conway:** It is a good point and it is a very interesting debate and I do not want to prolong it. I say to my friends opposite that they know—and particularly those honourable people across the aisle who, earlier in their political careers, sat on the Treasury bench—know perfectly well what the standing orders mean in this sense, and I just have to say to the member for Lake Nipigon and others that the government's intention is absolutely clear.

The minister has repeatedly made the point that we intend to proceed in a way that is orderly and sensible. As the Minister of Northern Development has just said so very properly, it is not that many months ago that some members of the opposition—I think one or two of whom are here present—raised proper Cain about the conduct of certain other government agencies and where the accountability of the government was: where did the Treasurer and the representatives of the executive council stand in all of this?

What we have done in this legislation under the able leadership of the member for Cochrane North is put in place a very important process with a corporation that is going to have a very wide range of mandate and opportunity, but it is quite clear that the government has responsibilities, that the Treasurer has responsibilities, and, notwithstanding the invitation that seems to be offered that the government shirk its responsibility, we have no intention of accepting an amendment that would deal the Treasurer out of a very important role and responsibility that the good people of northern Ontario, like everyone else in the province, would expect us and him to meet.

**Mr. Pope:** I agree the government has to be accountable and there has to be accountability, and I think the minister and the government have to be accountable for what they say and what they do arising out of what they say.

We were promised \$30 million over a year ago. It was not delivered. We were promised a northern Ontario heritage fund that would be controlled by northerners. It is obvious they have emasculated the northern Ontario heritage fund. It will not be controlled by northerners at all, not at all, and they have to now be accountable for what they have run around northern Ontario promising.

I know that the government House leader, the Minister of Mines, in his own fashion attempts to obscure or deflect the issue somewhat to the IDEA Corp. and the shocking lack of proper

management by the Liberal government of the IDEA Corp. funds. He said the IDEA Corp. was an independent body and, therefore, they do not want to repeat the same mistakes that they made in the past, and the Minister of Northern Development has said the same thing just now.

But let me say to the government House leader, contemplate exactly what you are saying. We are talking, yes, about a government agency. We are talking, yes, about a body corporate with a board of directors; and, yes, we are talking about a board chaired by the Minister of Northern Development; and the government House leader is saying that he does not trust the Minister of Northern Development.

Once again he is saying, as the Minister of Natural Resources (Mr. Kerrio) and the Minister of the Environment (Mr. Bradley) said with respect to parks and the economic use of resources in parks, "We don't trust the Minister of Northern Development to handle public moneys." That is what they are saying.

They are saying they did not trust his judgement on the north with respect to parks. The Minister of Natural Resources ignored the Minister of Northern Development and virtually every interest group in northern Ontario and went on his merry way, as he usually does, not knowing what he was talking about, as usual; and we now have yet another arm of the government, the Treasurer and the government House leader, saying: "We don't trust the Minister of Northern Development"—the chairman of this board, the man responsible for the administration of the board and the allocation of funds from his ministry to the board—"the Treasurer is going to have an override."

What a shocking insult to the Minister of Northern Development and the minister from northern Ontario with the longest standing in the cabinet of Ontario. How dare they insult the Minister of Northern Development this way?

**Hon. Mr. Conway:** I always listen with great interest to what the member for Cochrane South says. I just have to say that it is an important issue of accountability, and I will tell him why we are not disposed to favour the recommendation of the honourable member in this respect, though he offers interesting advice on all subjects.

I cannot imagine that someone, for example, like his father, a very successful and insightful and learned businessman in northern Ontario, would expect this or any government to allow a bill to pass this chamber whereby a body corporate, such as the one contemplated and



established under Bill 116, would make the kind of guarantees spoken of in subsection 7(2) of the bill, which would have a very significant impact on the consolidated revenue fund of Ontario, notwithstanding all that is otherwise provided in this bill, and the Treasurer of this province would have no role to play in this process whatsoever.

I say it is not an insult to the Minister of Northern Development; quite to the contrary. This amendment is an insult to the good business judgement and the kind of accountability that the honourable member's father would expect a responsible Legislative Assembly to enact.

**Mr. Pope:** Since we are talking about my father, my father would offer the following advice to the government House leader: stop raising taxes, get your own house in order and allow people who know how to operate businesses, whom you are going to appoint to the board of directors of this fund, to get on with the operation of the business of this board.

You obviously haven't got your own house in order. You should stick to doing your business and let the people who have some business experience and some sense of financial accountability and responsibility in northern Ontario administer this fund. Get your hands off of it. You have done nothing but increase taxes. You have done nothing but waste money in your ministry main offices. Let people who know what business decisions are about administer this fund.

1550

**Hon. Mr. Conway:** Nothing in this legislation will do anything but encourage the very process the honourable member wants. I think it is to the great credit of this government, to the leadership provided by my friend, the Minister of Northern Development, that the very things the honourable ladies and gentlemen opposite want for northern Ontario, we as a government are going to do. But we are not going to shirk our responsibilities and the very important accountability that, in our view, is violated by the spirit and the letter—certainly the letter—of the honourable member's amendment, which we simply cannot accept.

**Mr. Pouliot:** I do not want to prolong this, but my father was not a businessman; I guess that is the reason I am here.

The government House leader is most eloquent. Sometimes one is not jealous of people, but one at times envies a talent in people. They seem to do so well and one says, "Really, I have seldom met a person who perspires sincerity in a more constant fashion."

I listened to him tell us about the virtues of the proposed legislation. In my candid mind, I assume that since he is so convinced, there will not even be a mere transition. I, too, can read article 15 of the standing orders. It can be done. The stroke of a pen is all it takes.

On the one hand, I listened to the minister, fully appreciative of the substance and somewhat envious of his talents, but I cannot understand the character of the same individual refusing to put it into writing. It would take about one line or one and a half lines. He need not Oxfordize or Websterize to do it. Legal counsel can do it. The thing is he has to say, "I am willing to do it."

All it is asking is that the game is over and it is time to show one's hand. We said \$30 million and put the \$30 million in the bank. He said: "Don't you worry. We'll do it." Of course, we will believe him. Put it in. Put it into writing. We did believe last year and it did not appear. We were bluffed.

So this time we just want to be given the assurance that the \$30 million will be deposited. We are not even asking that it be spent. This would naturally follow soon or come later, although there has been some indication from some government members that it might not be so, that it could be left—

**Mr. Ballinger:** Trust us, trust us.

**Mr. Pouliot:** I want to remind my friend, the member for Durham-York (Mr. Ballinger), that I may be a born again New Democrat, but I was not born yesterday. When it comes time to trust, I want to be given a chance to do so.

I fail to understand why the coach will not advise—

**Mr. Ballinger:** The Gipper.

**Mr. Pouliot:** Yes. Throw one in for the Gipper. Why will the coach not advise the Minister of Northern Development, who can almost taste it? I have been here only three years, but never have I encountered something so simple. Get on with it so we can go on to other logical amendments that are proposed by the member for Cochrane South.

**Mr. Pope:** In response to the government House leader, his words sound great, but when it comes to what he is prepared to accept in this legislation, it is quite a different story. I say if he is sincere, put it in writing. If he is sincere, put it in writing in this act. He has emasculated this board. He has conditions on the allocation of money to the board that can be established by the Lieutenant Governor in Council. He will not accept any changes that will remove any



limitations or conditions on the allocation of money. He has retained the word "may" in there, which allows the minister not to give the money to the board even though it has been allocated.

Interjection.

**Mr. Pope:** Yes, it does.

He now will not remove the ability of the Treasurer of Ontario to stop any guarantee being issued by this board that is chaired by the Minister of Northern Development.

If he is sincere that this is going to be a responsible board given some authority, then let him amend the legislation to give it that authority and allow it to get on with its work. If the government House leader is sincere, let him put it in writing and not emasculate this board and not subject the Minister of Northern Development to all of these restrictions that will impinge on his ability to properly administer this fund in northern Ontario.

He will not even guarantee now the money and he will not even guarantee that it will be deposited in northern Ontario.

The only one who had enough nerve to applaud his last comments was the Minister of Natural Resources, who stuck the knife into the Minister of Northern Development's back on the parks policy a week ago.

**Miss Martel:** We were on a discussion here about what fathers of members in this Legislature might have said about this bill. Let me just give some idea of what the former member for Sudbury East might have said about this bill. To the government House leader I would say that my thoughts are probably just about the same on this particular bill as his would have been.

For instance, I think the amendments our colleagues have put forward have been quite reasonable. I do not agree with them very often, but in this case I think that we in this party are agreeing that the amendments are quite reasonable. The amendments are being put in to protect northerners and to give northerners the kind of independence the Liberals promised them with this bill in the first place. I do not think it is such a great problem as the government House leader would like to make it out that we omit the section that says, "signed by the Treasurer of Ontario."

I would like to remind the government House leader that we have some problems with the Treasurer. He promised in this Legislature in May 1987 that we would see \$30 million in the fiscal year 1987-88. He promised that to the good people of the north, and northern candidates for the Liberal Party ran around the north and said the same thing. Guess what happened? We did

not see that money. It is no wonder today that we do not want the Treasurer anywhere near the northern Ontario heritage fund, because we are not sure when we might actually get it.

If his tax grab is any indication of what is to come next, we would like him to keep his hot little hands away from this fund and ensure that northerners have the responsibility and the accountability. I think, and my good colleagues here will agree, that northerners are very capable of doing that. I would think the Minister of Northern Development would agree as well.

I must say, and I think my predecessor would say the same thing, the amendments that our party and the Conservative Party have put forward are very reasonable. All we are asking is that the control be in our hands and that the funding be in our hands, and that the discretion to provide funding to the fund on the part of the minister should probably be taken out of his hands, because we are not going to be quite sure those moneys will be allocated year after year. We would like it to be a little firmer in legislation that those moneys, those \$30 million, shall every year go to this board of directors for it to administer.

I would ask the Minister of Northern Development to reconsider these very reasonable amendments that have been put forward and see that northerners are accountable and are fit to allocate and distribute the moneys in this fund.

**Mr. Morin-Strom:** I as well would like to commend my colleagues from northern Ontario who are trying to make some very rational points on behalf of northerners that I think the Minister of Northern Development should be listening to.

The minister likes to go around northern Ontario and talk about putting decisions into the hands of northerners. He spoke very eloquently in Sault Ste. Marie about that just a couple of weeks ago. But when it comes to the test in front of the Legislature, right here when we are in the process of passing one of the most important pieces of legislation that he has presented to this House, what is the final result?

1600

He is not even the one who is able to defend this piece of legislation. He has to have the government House leader next to him speaking for him, defending the fact that this piece of legislation puts all the power in the hands of the Treasurer. The Minister of Northern Development will have the title of the chairman of the board, but the final signature comes from the Treasurer of the province.



Here we have the minister who is going to have to go hat in hand to his colleague, who presumably is the real one in charge of the Ministry of Northern Development and Mines. The Minister of Mines sits next to him and tells him what he should say. Then he will have to go hat in hand with him to the Treasurer in order to get action to see that the money goes in or that the spending plans of this corporation will be able to proceed.

Why does the minister not put the power into the hands of northerners and see that this is a northern Ontario heritage fund, not a fund under the purview of the Treasurer?

**Hon. Mr. Fontaine:** First of all, I would like to say to the member for Sault Ste. Marie (Mr. Morin-Strom) that I do not need him to talk for me in northern Ontario. I can do it myself. I go back tomorrow. I am going to be in his home town for three days in June. I am not shy. I am sure I will not be thrown out of Nipigon, I will not be thrown out of Manitouwadge and I will not be thrown out of Sault Ste. Marie.

I would like to remind the member that the fund is quite free to make loans. A loan guarantee is only if the consolidated revenue fund is to be bound; the Treasurer must sign guarantees. It is for after. Maybe we will make some loans and the year 2000 may be the end of the fund and somebody is going to be responsible for the loan. People with experience, like my friend from Timmins, should know that when you sign, somebody is responsible. After 12 years it may be the end. Maybe the New Democratic Party will be in power so the obligation will be cancelled out.

I want to remind members again that the control will be in the hands of the board and I am sure it is going to see to it. If we need some other signature for a guarantee, then that is the way we are going to do it. That is it.

**Mr. Harris:** I think we have worked this one pretty much to death. However, let me just remind everybody who is in here—

**Mr. Breagh:** Oh, no, he's still on the dock flopping around.

**Mr. Dietsch:** One more kick.

**Mr. Harris:** I want to disagree with the member for Sault Ste. Marie. The member talked about the minister requiring help from the government House leader. I want to say that this vote we are proposing, will be voting for and will be urging all members to vote for, is a vote of confidence in the Minister of Northern Development.

Yesterday in this chamber we had the chief government whip and the Minister of Natural Resources trying to help the Minister of Northern Development. They were out of line. They were wrong. The Minister of Northern Development recognized it and he quite properly proceeded with an amendment that was an improvement to this piece of legislation.

Today the government House leader is wrong. We have seen examples in dealing with this legislation of where, if the Minister of Northern Development did not have to put up with the advice he is getting, I think he would do a far better job.

This vote we are taking now is a vote of confidence. We think the Minister of Northern Development understands northern Ontario better than the Treasurer. We think he understands it better than the executive council of this province. We are proposing these amendments to give him the authority in the north, along with the board from the north, to act on behalf of the north. We are asking members to support us now. We are asking all members to give a vote of confidence to the Minister of Northern Development and not have him tied to these other cabinet ministers from southern Ontario who are dragging him down.

**The Deputy Chairman:** Are the members ready for the question?

All those in favour of Mr. Pope's amendment to subsection 7(2) will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Vote stacked.

**The Deputy Chairman:** Shall sections 8 to 10 stand as part of the bill?

Sections 8 to 10, inclusive, agreed to.

**The Deputy Chairman:** Hon. Mr. Fontaine moves that the French version of the bill be amended by striking out the word "patrimonial" everywhere that it appears in the bill and inserting in lieu thereof the words "du patrimoine."

**La vice-présidente:** L'hon. M. Fontaine propose que le projet de loi soit modifié par substitution, au mot «patrimonial» partout dans le projet de loi, des mots «du patrimoine».

Motion agreed to.

La motion est adoptée.

**The Deputy Chairman:** Hon. Mr. Fontaine moves that the French version of the long title



of the bill be struck out and the following substituted therefor:

Loi concernant le Fonds du patrimoine du Nord de l'Ontario.

**La vice-présidente:** L'hon. M. Fontaine propose que le titre intégral du projet de loi soit remplacé par ce qui suit:

Loi concernant le Fonds du patrimoine du Nord de l'Ontario.

Motion agreed to.

La motion est adoptée.

**The Deputy Chairman:** Shall the bill stand with respect to its new title and section 7 of the bill as well?

Agreed to.

**The Deputy Chairman:** Just to make it very clear, that includes section 11 as changed by the first amendment just moved by the Minister of Northern Development.

Call in the members.

1617

**The Deputy Chairman:** Order. Would all honourable members take their seats. Mr. Pope has moved that section 5 of the said act be amended by deleting the word "and" at the end of the second line of subsection (b) and relettering subsection (c) of section 5 to read "f" and by adding the following:"—

Dispense?

**Mr. B. Rae:** No, let's hear it.

**The Deputy Chairman:** "(c) to provide and guarantee to every resident of northern Ontario equality of opportunity for education, training, skills development and social and economic enhancement and improvement;

"(d) to create more and more-highly skilled and diversified employment opportunities for residents of northern Ontario;

"(e) to diversify the economic base of northern Ontario with particular emphasis on single-resource communities and areas of traditional high unemployment and further with particular emphasis on the development of small business and economic endeavours employing research and technological development capacities and facilities in northern Ontario; and."

The committee divided on Mr. Pope's amendment to section 5, which was negatived on the following vote:

Ayes 7; nays 59.

Motion negatived.

Section 5 agreed to.

The committee divided on Mr. Pope's amendment to subsection 6(2), which was negatived on the following vote:

Ayes 14; nays 52.

Motion negatived.

Section 6 agreed to.

The committee divided on Mr. Pope's amendment to subsection 7(2), which was negatived on the following vote:

Ayes 14; nays 52.

Motion negatived.

Section 7 agreed to.

Bill, as amended, ordered to be reported.

Le projet de loi, modifié, devra faire l'objet d'un rapport.

On motion by Hon. Mr. Conway, the committee of the whole House reported one bill with certain amendments.

À la suite d'une motion présentée par l'hon. M. Conway, le comité plénier fait rapport d'un projet de loi avec certains amendements.

#### ESTIMATES AND SUPPLEMENTARY ESTIMATES

Hon. Mr. Conway moved resolution 10:

That the 1987-88 estimates and supplementary estimates which have not yet been passed by the committees and reported to the House be deemed to be passed and reported to the House, and that the 1987-88 estimates and supplementary estimates be deemed to be concurred in.

**Hon. Mr. Conway:** I am happy to put this supply motion, this concurrence motion, before my friends and colleagues in the House. I know that they have for some days now been anxious to engage in a general debate such as this motion provides. My friend the Treasurer (Mr. R. F. Nixon) and I and other members of the government are here very anxiously to await their remarks on the motion before the House.

**Mr. Morin-Strom:** I appreciate the opportunity to participate in this debate. However, I have to express serious concerns about the fact that the government has not been able to manage its House agenda to the point that we are still debating the spending estimates for the year that was completed two months ago.

We are looking here at the 1987-88 estimates and supplementary estimates—

**The Deputy Speaker:** Order. I recognize the member for Sault Ste. Marie and only the member for Sault Ste. Marie. Please, the private conversations shall end.

**Mr. Morin-Strom:** I think any responsible individual, certainly anyone who is responsible in financial matters, would recognize that there is something seriously wrong with a budgeting



procedure that results essentially in the spending budgets of all the ministries of this government still not having been approved two months after the fiscal year is completed.

Surely, as a government, we should be looking at a process under which we can review the spending projections and plans of the various ministries of this House earlier in the fiscal year. I remind people who may be watching us that in terms of the government's fiscal year, we are talking about from April 1 of a year until March 31 of the following year.

Here we are today, on May 26, debating what the spending is going to be within the various ministries for the fiscal year from April 1, 1987, until March 31, 1988, just about two months after that full fiscal year has been completed. We should have been at this process a year ago, and I suggest we should look for a process that improves the opportunities to review the various estimates of the various ministries and get agreement on what the spending programs of the various government ministries should be early in the fiscal year—not late in the year as it is done typically, or in this particularly flagrant case, with the government presenting its estimates two months after the fiscal year is over, for concurrence after the fact.

I have made this point a number of times in terms of the individual ministries and particularly, in my case, being responsible as critic for the Ministry of Industry, Trade and Technology, when we have had the opportunity to address the individual estimates for that ministry in committee. But this is a problem not just of those individual ministries, but of the whole process and the final approval of all the estimates of the government in general.

Today we have an opportunity to have debate on the spending programs of the government, and I would like to address in particular an area of concern that overlaps a number of the ministries, which cannot be addressed individually before just one of the ministers in the estimates when we go through the process of reviewing each individual ministry within committee. This is the area of problems in terms of unemployment facing youth in our society.

Despite the good general economic times in the province, there are groups within our society that are not sharing in them. We have an unemployment rate for the province as a whole that is much lower than it has been in recent years. However, there are serious geographic problems and we have talked about those in the past, including an area such as northern Ontario

which has an unemployment rate approximately double that of the province as a whole. There is a problem not only when it comes to regions, but also within certain groups of people within the province or in our society.

One of those is the problem facing youth, the difficulties the young still face in getting that first good job and maintaining steady well-paid employment through until a point where they have reached the skills and the experience where they can get a really good, established position. In our province, we are still facing a situation where unemployment among youth is at least double that for the population as a whole—a totally unacceptable situation.

This is a problem that is shared or should be shared and acted upon by a number of the government ministries, including certainly the Ministry of Colleges and Universities, the Ministry of Skills Development, the Ministry of Labour and the Ministry of Industry, Trade and Technology, which should be putting in place the programs we need to ensure our young people do get the job experiences they need and have an opportunity to have a positive start on their working lives and not have to face unemployment lines or welfare, as far too many of our young people are having to do.

#### 1630

We are really squandering a large part of the talents and the productive energies of the next generation by our failure to develop a comprehensive approach to the persistent problem of youth employment. I would have hoped that this government, last year and in the budget the Treasurer has presented for the coming fiscal year, would have taken stronger steps to ensure our young people share to a much greater extent in the problems they are facing in finding productive jobs.

In Ontario today, there are nearly 100,000 unemployed young people—I am talking about young people, let us say, up to the age of 24—who account for about 20 per cent of the workforce in the province, but they also account for 40 per cent of the unemployed. There are also the uncounted numbers who are in part-time, low-skill or dead-end minimum-wage jobs, chiefly in a variety of service trades, which provide no basis for getting on with adult life. They do not provide the basis for supporting a family or for achieving the kind of independence our young adults want.

In the face of all of this, we have a system in which high school drop-out rates continue to rise, vocational counselling in schools remains a



mockery, the apprenticeship system in our province is in a shambles and technical, vocational and art options decline in the new curriculum. Our management of youth unemployment is nothing more than a grab-bag of short-term wage subsidies, training and work experience programs. Not only is there no federal-provincial plan, but Ottawa's Canadian Jobs Strategy and the provincial Futures program from this government are only small steps that leave to one side the majority of our young job-seekers.

I would like to share some of the experiences I had when I had the opportunity late last fall, just before we opened the new session of this parliament, to spend nearly two weeks in Europe. I spent a good part of that time seeing what kinds of approaches are being used in some of the Scandinavian countries, and particularly in the two countries of Sweden and Norway. They have been extremely successful in maintaining levels in employment and ensuring that young people have real opportunities to start with a decent career.

When Sweden discovered in 1984, right after having gone through one administration of Conservative rule and return to Social Democratic rule in that country under Prime Minister Olof Palme, that its youth unemployment rate had soared to 6.6 per cent—barely half what the Ontario unemployment rate is for youth—it moved very quickly to institute a youth guarantee under which anyone under age 20 is either full-time at school, in a vocational training program or at work.

In a country like Sweden today, no one under age 20 is out of work. The 16-year-olds or 17-year-olds who drop out of high school remain the legal responsibility of municipal authorities and are placed in vocational programs designed to channel them back to regular high school or into the labour force by the time they reach 18. The employment service in Sweden registers all job openings and local committees of union, employer and community representatives co-ordinate efforts to help young people find appropriate jobs.

The employment service assumes full responsibility for the youth there at the age of 18. For 18-year-olds and 19-year-olds, there is youth team legislation directing municipalities to provide jobs for all who are unable to find permanent work. These jobs guarantee at least four hours per day at union wages and are fully subsidized by the government on the condition that the work will be socially useful, help the young person's

development and involve tasks that would not otherwise be done. Various public agencies join in providing work opportunities, including the churches, hospitals and schools, and the plan has an apprenticeship component requiring that youth work alongside experienced employees as trainees.

The youth team jobs, however, are only available after the employment service has exhausted all efforts to locate full-time work. Unlike its Canadian counterpart, the Swedish employment service gets out on the street with the young person and directly hustles for new jobs.

The public readily agreed that such a scheme, despite its immediate cost, was far preferable to unemployment insurance or welfare and would avoid social costs down the road. Admittedly, some young people were hostile to the four-hour-per-day limit on the subsidy, but it is far better than the situation we have here, where so many of our young people have no job opportunities at all.

Swedish employers have voiced some concern that youth would become dependent on public service employment. This has become a hollow criticism, because every effort there is made to find a private sector job, and in any case, very few of the youth team workers have later been hired by state bodies. These programs have been very successful in terms of giving the training and experience young people require and giving them the opportunity to find full-time, regular, productive employment as they enter their 20s.

A two-hour-weekly job search course is part of the youth team schedule and the employment service keeps in touch with the applicants and monitors job vacancies for them until permanent work is found. Like all Swedish social programs, this one is constantly monitored and evaluated.

This description of the kind of program in existence in Sweden is just an illustration of what this government could be doing for our youth here in Ontario. If we had a government that was committed to a full employment policy, we could provide those guarantees to our young people. We could do so at reasonable cost. We could provide the training and experience our youth need, so we would not have the growing burden of unemployed and of young people who have, in many cases so unfortunately, lost hope of finding productive employment with sufficient pay that they can be independent and support a family.

I suggest this government should take a very close look at the kinds of programs a country like Sweden offers and act in a co-ordinated fashion



among all the various ministries responsible for youth to ensure that our young people are given the same opportunity that young people in other countries are given and that we would like to see everyone have in Ontario.

By gathering the creative will to undertake such a youth guarantee here in Ontario, and by doing so right across this whole country, we would speak loudly that, despite the threatening world we have made for our young people, we do believe in their future and in our own. I ask the government to seriously consider the problem of youth unemployment and act on this matter in the future.

1640

**Mrs. Marland:** As I rise today, I say at the outset that I am pleased to have the opportunity to take part in this debate. The House leader, by placing this motion, was asking the members of this Legislature to agree to giving formal concurrence to last year's estimates.

For the benefit of members of the public who do not understand what this process is, I think it is important to explain that what we are actually doing in this debate is giving approval to money that has already been spent. In fact, this Liberal government, as we all know, has spent a great deal of money in the past year. On these estimates to which we are now concurring in this debate, those members who will concur are agreeing to money that was spent between April 1987 and the end of March 1988, which already is two months ago.

It is actually very unfortunate the Liberal government could not manage the committee process and scheduling in such a manner that we could have examined these estimates in detail prior to the money being expended. Instead, we are here today accepting the government's word that all is well. Obviously, if it were well, we would not have had to have the kind of tax bite and increases we have endured with the most recent budget announcement.

Unfortunately, since all is not well, I would like to take this opportunity to express some of my concerns. I will make comments according to those concerns.

First, I would like to talk about education. In the region of Peel and certainly in the city of Mississauga, which is a city in excess of 400,000 people now, education and the lack of funding for physical facilities for education both in the public school board and the separate school board, in my city and indeed in my region of Peel, are a very serious concern.

Now that the dust has settled and we can see what a weak commitment the Liberal government has made when it comes to education funding in our province, we also see that Mississauga residents are disappointed with the government's performance and commitment in this area.

After the three-ring circus of a few weeks ago involving the Liberal members of Mississauga and Brampton and the ministry officials, we can clearly assess the damage that will be done to our public system due to the lack of decent funding. The public board in Peel received only \$15 million of the \$50 million requested in capital grants. This is totally unacceptable.

The member for Mississauga West (Mr. Mahoney) would have us believe, from his statement in the Legislature that day, that the public board should be happy with what it got because of its declining enrolment. I think that is a very sad commentary because in fact, in the public board alone, it has in excess of 400 portables.

I would also like to mention the Dufferin-Peel Roman Catholic Separate School Board and the phasing of the announcement as to the capital funding for its board this year. In fact, they had requested \$126 million in 1988; they were given \$31 million in 1988. They were given, in the announcement, \$80 million over three years, but in this year it was only \$31 million.

The significance of that is what is most discouraging. The Dufferin-Peel Roman Catholic Separate School Board is going to have to spend in excess of \$5 million on interest because it needs that accommodation today. They do not have the choice to postpone the construction of these schools because the children are there. It is not that they are planning for the future; the children are indeed there today.

We have to wonder about the logic of that kind of financing, where \$5 million of taxpayers' money has to be spent on interest to bridge-finance in order to construct these schools that are needed immediately.

The member for Mississauga West suggested that I had perhaps been somewhat misleading in talking about the separate school board only having \$31 million this year; he said it received \$80 million. The fact is that the \$80 million, as I just explained, was over three years. I guess he and I will just have to differ on this point. The raw facts are there and for anyone who wants to pursue the facts and the details of that financing, it is very clear. It is in black and white.



When I last spoke on the issue of education, my colleague the member for Muskoka-Georgian Bay (Mr. Black) disagreed with my statement that making classes smaller, from 30 to 20 students, made very little difference from an academic and learning perspective. I still stand by the evidence that clearly shows that until class size is reduced to below 15 students, there is no real advantage at the grade 1 and grade 2 levels.

There is especially no advantage when the cost of implementing such a concept cuts so deeply into the budgets of boards such as the Peel Board of Education and the Dufferin-Peel separate school board. In the public system in Mississauga alone, 140 new classrooms would have to be created. Another 135 classrooms in the Dufferin-Peel board would have to be made available. This is unrealistic.

The portable issue is still terribly critical in Mississauga. It is a disgrace that there are over 27,000 students in portable classrooms this year, with about 400 portables in the public board in Peel and 500 portables in the separate board. Many of these facilities have poor heat and poor ventilation, and quite frankly, it is an archaic educational facility.

On the subject of transportation, I would like to begin by talking about another sad story in the Liberal book of lost hope by quoting the first paragraph of the Mississauga News of May 4, 1988:

"Mississauga's road and highway congestion is getting so bad the city is losing business to other municipalities, according to city traffic and transportation director Kees Schipper." Quoting from the newspaper:

"Schipper said the city realizes the high costs of trucking are already prompting some large firms to look for a new location. He said it is becoming difficult for firms to hire employees because of the frustration of trying to get to work in Mississauga, particularly in the 401-Dixie area.

"The congestion has been noted by firms seeking a new location and it is now becoming more difficult to sell those firms on Mississauga.

"Schipper said some projects are on the books, but he counselled that none of these would be completed overnight."

#### 1650

In 1971, under the then Progressive Conservative government, Ontario spent 14 per cent of its budget on roads and highways. In 1988, this Liberal government proposes to spend a mere six per cent of its budget on a transportation system that has expanded incredibly.

In 1983, the city of Mississauga spent \$7 million on roads. In 1988, that figure has climbed to \$40 million. The commitment from the province has not kept pace with the real transportation needs in the province and the city of Mississauga.

Mr. Schipper goes on to say that one of the results of underfunding has been the extremely high trucking costs and a corresponding high waste of energy due to traffic standstills during all hours of the day.

During my budget speech, I mentioned the fact that the Minister of Transportation (Mr. Fulton) had not mentioned anything about the Eglinton subway line. Today we know that the Eglinton subway line is not even a glint in the eye of the Minister of Transportation, because the transportation study that was just released last week did not talk about any real remedies to the traffic problem for those people who live in and commute from and to the city of Mississauga.

With no commitment for better public transit and no plans to accommodate cars, we have a serious transportation crisis in Mississauga. What we have to look at as an alternative is to get people out of their cars. The way we can do that is by improving the existing public transportation system. The public transportation system in Mississauga is Mississauga Transit and GO Transit operated by the Ontario government.

Until we electrify the railway lines that the GO trains travel on, we cannot increase the number of stations that those GO trains stop at. At least that is the explanation that has been given to me in the past by the chairman of the Toronto Area Transit Operating Authority.

As we have electrified trains in Britain and Europe which are highly used, highly successful forms of transportation, I cannot see why in Ontario in 1988 we would not at least be planning for a very realistic future in terms of transportation. Surely, as a forward-thinking province, in one of the leading, if not the leading country in the world, we are not going to disregard where our commitments to future transportation needs should be.

If we were to electrify those lines, and I concede it is a very major capital expense to do that, we could have more frequent stations, therefore more frequent access points for people to board and leave that train system. I am not suggesting that we spend millions of dollars building new railway stations, having complete parking facilities at each railway station and therefore having to buy a lot of real estate. I am suggesting that if we had more points at which a



platform could be built, where people could get off a bus and on to the train, or out of their cars in a Kiss 'N Ride mode, which we have tried to encourage at some stations along the GO line, then obviously we would increase the ridership.

The success of public transportation systems, we know, requires intensity of ridership. How you do that is to make the transportation system more attractive. They tell me that the diesel trains GO Transit now operates require a certain amount of distance to get up sufficient speed. However, if they were electric trains, they could stop and start in a very short distance. Therefore, they could provide a greater frequency of stops.

In my entire riding, on the lakeshore line of GO Transit, I have two stations, Clarkson and Port Credit. If you are not there by 7:30 in the morning, you cannot find a place to park. It is no wonder we cannot get the people out of their cars and off the Queen Elizabeth Way, which is also a parking lot in the morning; in fact, for most of the day. If we do not give people an alternative and if we do not plan for the future, then we are shirking a very major responsibility we have.

I suggest this government should be looking into the technology of electrifying those GO lines and at least making a commitment. I do not expect a solution overnight, but I do expect a responsible government to say to the people, "In five years, eight years, 10 years, whatever it is, we will have made an annual capital allocation to resolve those problems."

The city of Mississauga today, as I have already said, is a city of 400,000 people. We are planned to expand to 750,000. The fact that we cannot move today because of the traffic congestion makes a horrific outlook for future years. Of course, we are compounding the problem for the people who are in Etobicoke and the Metro area because as all those cars come into Toronto, we only make worse the current problem in downtown Toronto.

I would also like to comment on the environment. It appears we will again be faced with closed beaches this summer along the north shore of Lake Ontario. Unfortunately, the Minister of the Environment (Mr. Bradley) has failed in his commitment to have the beaches of Lake Ontario guaranteed to residents and visitors this summer. The Ministry of the Environment has failed to come to grips with the need to assist in the rehabilitation of our sewage system. Sewage treatment facilities are in need of repair and upgrading. Because of this, these facilities are also making a large contribution to water pollution. Open storm water runoff cannot be

treated and must be released directly into the lakes along with partially treated sanitary sewage.

A recent study of air pollution problems suggests our efforts in neutralizing acid rain can be regarded as no more than a preliminary assault. Toxic fallout has been contributing to the serious pollution problem in the Great Lakes. For instance, Pollution Probe estimates that one quarter of the chemical pollution entering all the lakes comes from the air. Mississauga has spent a great deal of money acquiring waterfront property to make it available to the residents of the city, yet the provincial Liberal government, through its lack of courage to face the pollution problem head on, has helped to make the waterfront that much less enjoyable and indeed, less accessible.

Water quality has not only affected our beaches; it has also affected our fish and other aquatic life. Last month, the Ministry of Natural Resources stocked our Credit River with more than 20,000 Atlantic salmon, but while they did that, they had to warn fishermen not to eat these fish because of the polluted waters of the river and the lake.

The quality of our environment is being jeopardized daily by the absence of a comprehensive plan to manage hazardous and toxic wastes. While the Liberal government has been quite vocal in expressing its concerns, its actions have done little to ensure adequate protection of the environment for future generations. After two years of Liberal government, the situation has not improved. In fact, today in Ontario, spills of hazardous wastes have not been reduced. Municipal and industrial landfills throughout the province continue to leak hazardous materials, jeopardizing recreational areas and drinking water supplies.

#### 1700

One area that has to be pursued more extensively is the area of recycling in terms of waste management. For that reason, I introduced a private bill at the beginning of this session last fall whereby it would be mandatory for municipalities across this province to provide recycling for residential garbage.

In fact, in Mississauga we do have a very successful recycling program. I acknowledge the fact that there are startup funds by the government to encourage municipalities to provide a recycling option for their residents. I am not suggesting at this point that it become mandatory to have residents sort their garbage for recycling. However, we find in Mississauga that the



program is so successful that residents want to be part of that program.

Since at the moment the funding to encourage the startup of recycling programs throughout the province is at the option of the government, my bill would provide legislation where ongoing governments would continue to be committed by providing that option of funding and making it mandatory for municipalities to provide recycling.

Turning to the subject of housing, which has now become the second most critical issue that comes across the desks and the telephone lines at both my constituency office and my office here at Queen's Park, the lack of affordable housing has now surpassed workers' compensation as the number one issue being dealt with at my constituency office.

The ministers of housing in this current Liberal government and the last Liberal government promised and promised until they were blue in the face. Today, the Minister of Housing (Ms. Hošek) is more often than not simply red in the face.

The demand for housing in Ontario has never been greater. Mississauga is no exception. Many young people have grown up in this community and they are now unable to find any accommodation. Many blame the ineffective housing policies of the provincial Liberal government as part of the problem.

Rent controls in Ontario and Mississauga have literally stopped the development of new rental accommodations. A number of months ago, Stuart Thom reported to this Legislature in his Thom commission report on ways in which the province could get out of rent controls and encourage developers to build again, to get more units built more quickly and ease the burden on those who can least afford accommodation.

The grave announcement that I have to make is that the Minister of Housing ignored that Thom report entirely. It cost \$4 million of the Ontario taxpayers' money, and this money was totally wasted by a Housing minister who has simply dropped the ball on all the housing problems.

Rent review applications are backed up out of her ministry doors, including the Mississauga office, where many apartment units are still not on the rent registry, which was supposed to be up and running months ago. Landlords and tenants are still waiting for decisions to be made on increases that are above the guidelines for 1987 while receiving new notices for increases above 4.7 per cent in 1988. This is unacceptable to both the landlords and tenants.

It is obvious that the Liberal government cannot solve the housing crisis, so why not give private enterprise a real chance to work in this province and save the taxpayers millions of dollars that are being wasted on the rent review process? The price goes up every day. A quick calculation would show that the ministry is spending about \$1,100 for every rent review application—applications that are still over, in total, 23,000.

Strong economic growth and hefty tax increases have bloated government coffers, and the Liberals' love of spending the taxpayers' money seems surpassed only by their desire to tax it. Two of the four budgets tabled by the Liberal government, the 1985-86 and the 1988-89 budgets, have included substantial tax and revenue grabs. Though no one ever knew it, the budget policies of the Ontario Liberal government clearly show that it is an ardent supporter of capital punishment. If you have any capital, they will punish you for it.

The 1988-89 budget proposes the single largest tax grab in Ontario history, a fact not changed by the Treasurer's frenzied efforts to minimize the size of that tax grab by using statistical gymnastics to inflate the magnitude of tax increases contained in some previous Progressive Conservative budgets.

In his eagerness, the Treasurer tried to convince the taxpayer that the 1988-89 revenue ripoff is not nearly as bad or as big as everyone else seems to think it is. The Treasurer had forgotten one essential fact. Unlike the current Treasurer, no Progressive Conservative Treasurer in this decade enjoyed the luxury of bringing down a budget after six successive years of economic expansion. In point of fact, the Progressive Conservative Treasurers had to deal with the impact of the longest and most severe international recession since the Depression of the 1930s.

Far from having to deal with the problems of growth, a sweet headache as the Premier (Mr. Peterson) has referred to them, Progressive Conservative governments had to cope with the real pain of economic contraction, high unemployment and interest rates and the impact of these on the province's revenues and costs of social and employment support services. Nor does the Treasurer make any mention of the fact that the last Progressive Conservative budget in 1984-85, which was the only one introduced when recovery was well entrenched, did not increase a single one of the province's major taxes. By comparison, this Treasurer, a Treasur-



er who has never known anything except boom times, has imposed two rounds of major tax increases on the province. The Liberal record during an economic boom begs the question of how they will manage if the economy turns sour.

I must say that the saddest point of all is that we are in a great economic growth; we are in economic boom times in this province, and this government does not see fit to share its planned spending with the total Legislature. The fact is, as I said at the outset, that we are here discussing money that was spent; in fact we are also here discussing money that was not spent.

There are millions of dollars in several of the ministries, and I know my colleague the member for Oshawa (Mr. Breaugh) will agree, not the least of which is the disgusting amount of money that was budgeted in the Ministry of Housing and not spent. That is just an example of something that I think is totally unfair and really misleading for the people of this province to think that this government would budget money and not spend it. Where does it go? Does it go back into general revenue?

You have to question where unallocated money goes when it is not spent. We have to question that because this year this government decided to tax more, grab more, take more from the people of Ontario. We are not in a position to say why or where because we have not been given the opportunity through the committee system to sit down and analyse the spending of this government in the past year. That is the government which announced it would be the most open government this province had ever known. In fact, this past year it has been the most clandestine, closed government, because it has not given the opposition benches the opportunity to investigate and look very thoroughly into its estimates of spending.

1710

I have to say that when I came to the province three years ago, I could not believe that the whole process down here was that the opposition review government spending after the fact, anyway. I cannot imagine anything that is farther from good business management. I do not blame this government for that process; I recognize that process was already in place. It is a pretty regressive system when any government can go ahead and spend its money without close scrutiny and review by all parties in the House, and as that is not the system, we do have this other system where the estimates can be reviewed in committee.

However, this past year, we have not even had that, so all we can say to the taxpayers of this province is: "Whoopee, your money's been spent. It's gone. We need this much more this year, and this government is taking this much more and adding this much more to the existing taxes. Don't ask us where it's gone, because we haven't been able to see on your behalf. We have not been able to look."

**Mr. McClelland:** I know it is not always customary for a member of the government to participate in this debate, but I just found it rather interesting and felt it appropriate to comment on or respond to some of the comments made by my good friend, might I say, the member for Mississauga South (Mrs. Marland).

My ears particularly pricked when I heard her refer to the lack of response to transportation needs in the recent announcement of the Minister of Transportation. It is no secret that the chairman of the region has roots in the party which she represents, and I found it somewhat interesting to try and balance in my own mind some of the information I received from the chairman of Peel, who says, among other things, that he was very enthusiastic upon hearing of the provincial Ministry of Transportation's announcement of the blueprint. He also said he was always confident that the government, particularly this minister, the Honourable Ed Fulton, would deal fairly and equitably with the surrounding regions.

The chairman, whose association with my friend's party is no secret to anybody, was particularly pleased with the province's commitment to the Highway 403 arterial extension and the proposed widening of Eglinton into Mississauga. He acknowledges that the honourable Minister of Transportation, realizes the importance of addressing the needs of public transportation simultaneously with improving existing roads while constructing new ones. He goes on to talk about the wonderful partnership he looks forward to in terms of addressing housing with the Premier.

I just found that particularly worthy of comment in light of my good friend's comments. Might I also say that my mayor, the mayor of Brampton, whose political affiliation is no secret, says he is delighted that this announcement with respect to transportation was pointing us in the right direction, to bringing together this consultative process for the first time in many years and removing some of the political boundaries that have hindered transportation in and around the Peel and Brampton area.



I just felt it was important for me to comment and get on the record that there is apparently some mixed feeling at best out in the Mississauga and Brampton area. I appreciate the opportunity of commenting to that effect.

**Mr. Mackenzie:** I am pleased to get a few things off my chest in the course of this debate. I find it rather interesting that here we are, two months after we have spent all the money, with not a chance in many of the budgets to really criticize or ask questions about them, and now we are having a debate, finally, to approve all of these estimates. It is a little bit ludicrous, I think. If you handled your own financial affairs at home that way, you would be in trouble very quickly.

I also have fond memories—I guess maybe that is not the word, but I certainly have memories—of our Treasurer (Mr. R. F. Nixon) complaining on a number of occasions about the very fact that the estimates were being dealt with, in effect, after the fact. That is in the life of a previous government. As a matter of fact, I can remember him speaking fairly strongly on it on a number of occasions in this House.

As I said to him in a little note just a little earlier here today, I would like to know why it is, now that we have this big Liberal majority government, we are even later and it is even worse than it ever was when we had the Tories in power, and when he was railing away about this matter. I cannot understand how the situation that the Treasurer felt so strongly about is now worse than it was prior to this government's reign. It just does not make any sense.

Let me make a couple of other comments. We went through a process in the standing committee on finance and economic affairs of supposedly having some prebudget hearings and consultations. Let me tell members, if there was ever a farce, that was it, because the budget was already decided and just about ready to come down. We knew, not the specifics, but a number of things they were likely to be doing in that budget while we were still asking all kinds of outside groups for help and advice on what should be in the budget. If there was ever an exercise in futility, it was those prebudget hearings we had.

That does not mean it should be that way or has to be that way. It seems to me that maybe, just maybe, if the Treasurer was serious about some of his comments in past years and if he really feels that there should be some input, other than just from the Treasury people who are involved, into the budgets in Ontario—I guess we could also include whether or not it is worth looking at the whole issue of tax reform—there is a role for a

committee and maybe the time frames can be set or cut so that there could be some input that meant something. But I think it demeans the whole political process when we set up procedures that, in effect, do not mean anything and are really, as I said, just a farce. That is certainly what we went through prior to this current budget in Ontario.

I suppose if there was some effort to make use of committees, make use of input from other people and some feeling on the part of the committees that what they were doing meant something, a useful purpose in the democratic process could be fulfilled. I must confess—and I try to stop myself from getting in this frame of mind—but I am beginning to become very, very cynical about the role of committees, in any event, when we have majority government.

The strange thing is, I do not find much difference now, as I have said on other issues, than when we had the big Tory majorities. It seems to me they operate exactly the same way and I am not sure that they want to listen to committees during these kind of majority situations. It seems to me that they are much more ready to listen to committees when there is not an overwhelming majority in the House. Nobody has to give it a heck of a lot of credence, and I understand that, but from my observation there is not a heck of a lot of difference now than when we had the Tory majority. I really wonder if we have learned anything from the deal.

I will deal just for a few moments with some of my own field and areas of concern. There are a number of things that interest me but, obviously, the labour field is one that I feel most strongly about. I really feel that we are doing a bit of a disservice, in terms of this blanket endorsement after the fact of the spending of this province, when we really have not had some answers as to why we have not had action on some items that this particular government did agree to, why we are still waiting for changes in workers' compensation legislation in Ontario and why are we still waiting for changes in employment standards in Ontario.

In many cases, these are issues that we were promised some action on. Why, for example, have we not seen the changes—certainly the indication was there—to the cleaners and to the domestics in this province? As a matter of fact, indications in some cases were pretty hard commitments. Why have we not seen anything in terms of plant closures and older workers, which was also a pretty definite commitment? Why are we still waiting for any final and concrete action



in terms of pension changes, what we are going to do with surpluses and whether or not we are going to take a look at indexing and whether or not it is going to be only for the future and discriminate against workers who have retired from private companies?

1720

None of these matters has been dealt with, and we have raised in this House on a number of occasions concerns we have with the kind of labour legislation that we have now in Ontario. In the last week, I guess, I have raised two particular cases that disturb me. They obviously do not disturb too many others in this House, but I raised the question of Dow Chemical and Steinberg.

We have a ludicrous situation in the Dow Chemical case with 760 workers in a lockout, not a strike, although they readily admit that there would have been a strike if the company had not moved on the lockout ahead of them.

We have a situation there where the company's ability to delay a key arbitration case on the 100-odd revamp workers in that plant is one of the reasons we currently have a strike situation.

We have a situation in that particular plant where the company now has 18 busloads of scabs going into the plant. They come from Alberta and Quebec, their two plants in those two provinces, we believe, although we have not been able to verify the numbers. Some of them are coming in from the United States now as well. We have these workers being bused in. There was an injury last Sunday in the course of taking workers through the line in that plant.

Because it knows what the company's position is and what it is trying to provoke, the Energy and Chemical Workers Union, Local 762 is a union that has been purposely very, very disciplined, in that strike situation. It is probably one of the most disciplined picket lines we have seen in a long time. We have the company not only busing the scabs through in buses, but we also have it running trucks through the line and back again, sometimes in such a short period of time it is obvious they have not been loaded; and the strange situation where we have a bunch of construction cranes in there and the cranes are raised just before they are going to run either empty trucks or the busloads of scabs through the line and the cameras go on, hoping of course that they are going to be able to provoke the workers into a reaction in that situation.

We have a plant manager in from the US in that plant who has boasted about his three strikes, three companies where he has been able to take

on and defeat the union at three other plants in the US, and he is open about it.

Yet when we raise this question with the Minister of Labour (Mr. Sorbara)—and I will make the tie-in in a moment to why I raise this in the other case—he says, “Look, you know yourself that if a union feels they’re bargaining in bad faith, it can go to the Ontario Labour Relations Board.”

That is not accurate. That is just simply not accurate, and either the Minister of Labour does not know his job or he is not giving us the square facts in this situation.

You can go to the labour relations board only where the company flatly refuses to meet you. What they are doing in this case is meeting with the union twice a week, but what are they discussing? They are discussing whether or not they have a responsibility to pay some of the benefits that are there, and there is absolutely no progress on any of the other issues I have talked about.

The fact that they are using surveillance cameras on the workers does not mean anything; it is not grounds for unfair bargaining. As long as they are meeting with the union, there are no grounds for unfair bargaining.

This is something we have been fighting in this province for 10 or 15 years. Try to make a case. I know. I have been through enough labour situations to know it is impossible, unless you get the company straight out, almost publicly, saying: “To hell with you. We’re not going to talk to you. We’re not going to deal with your complaints.”

So here we have a good many weeks now of these workers out in a situation where it is obvious that there is an attempt, if not to break them, at least to get those workers to back off considerably.

Let me use the other example, the Steinberg case. It was well reported in the financial newspapers within the last week. Some of the Quebec plants have reached settlements, and they are pretty regressive settlements, but they have said to all the workers in Ontario and Quebec, “Look, we won’t dismantle this plant.” They carefully do not say, “We won’t necessarily sell it,” because it would be a selling point if they could undermine some of the wages, but, “We won’t dismantle this plant, you won’t have to worry about your jobs, if: (1) you’ll work an extra hour a week; (2) you’ll take a \$2,000 cut in pay”—actually, a dollar an hour over the course of a year—and (3) you’ll give us a six-year contract.”



As long as they are sitting down and making even that kind of an offer, they are not bargaining in bad faith, and that was the same answer I got from the Minister of Labour when we raised that case in this House.

There are other cases I could raise. The point I am making is that there is a desperate need in this province for changes in employment standards and in the Labour Relations Act when it deals with workers. We are seeing absolutely nothing and we get no sense when we talk to the labour people who are meeting with the ministry people that we are going to see legislation at any time in the immediate future.

The same thing could be said, as I say, about the domestics' situation. The current coverage is not there. The protection is not there. That is why the act we had for Sunday shopping was such a farce. Reasonable grounds—try and prove that in a labour case as well. All of these things are going on. All of these things are problems. I suggest to the members that they are starting to accelerate again in some of the labour areas because of the concern over contracts and the restricted level of negotiating there has been.

When the companies think they can be so bold as to try to bust a union as big as the Dow Chemical union, the Energy and Chemical Workers Union, when they can use the barefaced blackmail they have used in the Steinberg case and some of the other difficult negotiations that are going on, it is an indication that once again in this province, workers are fair game, as they were under the Tories, unfortunately, for an awful lot of years, with the difficulty we had in getting legislation.

The difference is that we at least had some commitment from this government that there were going to be some employment standards changes for some of the worst situations that we have. We were going to see assistance for workers in plant closure situations, we were going to see more assistance in terms of safety and health and we were going to see Workers' Compensation Board changes.

In the case of the WCB, we see retrenchment and retreat there as well. We are not seeing improvements in terms of workers' cases. We have not really had a chance to take a look at why this is going about, what the heck we are spending in the Ministry of Labour and whether the the money is being spent properly.

That is just one ministry. But they are all in this boat when, two months after the end of the year, all the money is spent and we are now up here debating the estimates and the passing of all of

the ministry estimates. It does not make any sense at all. We have not had a chance to get at why these kinds of things are going on or why we are not seeing some results or some relief for working people in these situations.

I do not know when we are going to see—I hope it is at the yearly period—an increase in the minimum wage in this province. But almost everybody knows that we have the various poverty groups and the groups that are concerned with the poverty level in this province saying, "Hey, you need something like a 25 per cent increase if we are going to begin to be able to survive or live." We have a minimum wage that certainly needs to go up a heck of a lot more than 20 or 25 cents if it in itself means a solitary thing. But we do not get a chance to really get at that issue either.

We see nothing coming in the way of hours of work or overtime or additional vacations. Given the current feeling there is in the land, and the current kind of attack that labour is under, I guess it is sort of ridiculous to be looking for those things right now. Certainly, we do not see any support, any initiative or any progressivity from this government in those kinds of areas.

As I say once again, we cannot get at them in terms of the estimates because we are not dealing with the estimates. We are not dealing with the estimates now in a way that is even more complete than when we used to complain about it and when the Treasurer used to complain about it under the Tories.

What are we doing? What are we doing here with this process? Are we moving closer and closer to the decisions being made totally and entirely by the Treasurer and by the government of the day without input from other members, without the ability to ask why the money is being spent the way it is and why some of these things are not happening? I am not sure, but it certainly concerns me.

Why can we not get at the problem that we have now, as most of the members know, with WCB cases? I am presuming most of the members in this House do workers' compensation cases. If we send a worker to a worker's adviser now, why in many of our cities do they make an appointment or tell them that they will not even take the details of the case and make an appointment for them six months down the road? How in blazes does that help an injured worker who may already be out of work and who has a case that is in dispute?

Six months in some areas is early. In my town, it is six months down the road before one gets an



appointment to see a worker's adviser. So it raises questions. We know we hired a number of worker's advisers. We supported the initiative when it happened two or three years ago. But is there something wrong with the system, as my colleague the member for Nickel Belt (Mr. Laughren) will say? I happen to agree with him.

Is there any reason why we did not get some relief or why the relief was so temporary in the appointment of worker's advisers in Ontario? I think they do a tremendous job and the idea is a sound one.

1730

It may be that the arguments we have been making for 10 or 15 years that we had a really serious problem in terms of Workers' Compensation Board cases and the workload some of the members in this House had, as well as the various advocacy groups, was dead on and the situation was not going to be solved by the number we hired. I know it is difficult suggesting more hiring, but it may be that if we cannot, we should reform the system itself, that we do not have anywhere near the number of worker's advisers in the field.

Let me leave that and go for a minute to employment standards. I do not know how many people get involved as much as I do in some of the labour cases that come to members in this House, but I get a lot of them. There is the same kind of delay in seeing inspectors from employment standards. It is months and months and months in many cases, if it is a firing or a serious dispute, before one can get a situation resolved. Does that mean we are desperately short of people working for employment standards or, once again, are there a few changes in legislation, as we have sometimes argued, that could resolve many of those difficulties before they become difficulties that require an employment standards officer?

Why are we so far behind in human rights cases? And we are. We have the same kinds of delays there. We are now starting to get delays even with the Ontario Labour Relations Board itself. What is going on?

**Mr. Philip:** Four years to certify a union.

**Mr. Mackenzie:** Yes. We have seen as long as four years to certify a union. Why is that we have these problems in areas that are my portfolio maybe, but are of direct concern to working people?

Why is it that we do not have the ability to deal with these and we cannot get a real good discussion on it? We get supercilious answers from the ministry when we raise individual

cases, but we have not been able to take a serious look at the budget, the expenditures, where the money is going, what the numbers are, why this is happening in this particular ministry.

It seems to me that it is not just a question of the fact that we are dealing months later with the estimates. It seems to me, by what is happening in this House and in the committees, we are undermining our ability as members to get at the various ministries, to get at the kinds of problems that are there and which we are raising, and to find out if there is not some better way we can deal with them. That is not happening.

We certainly do not improve the situation with the kind of late debate, after the fact, that we are having now on the estimates. I am simply saying there is something wrong with the procedures in this House. I would say once again to the Treasurer, and I would say it to him directly, that if he is serious about some reform in this House—and I am beginning to wonder whether that was not just a big splash while we had the minority government in this House—we have to take a look at how we deal with these estimates before or at least during the fact, not after the fact, and we have to have better answers than we are getting, not only on what we are spending but whether we should be taking a look at some fundamental changes.

Maybe what we have to take a look at is a comprehensive income replacement scheme, which my colleague the member for Nickel Belt has raised from time to time in this House. I suspect that if we had one comprehensive income replacement scheme, we would do away with a heck of a lot of the bureaucracy, a lot of the delays, a lot of the necessity of going to the officers, the worker's assistants, the employment standards people and the human rights people that now takes place in Ontario.

If this debate were not serious, and I think it is serious, it really should have us laughing. It is really funny to be standing here today when we do not have answers to all of these kinds of questions, when there has not been that kind of a questioning of the individual ministries in this House, debating and deciding that we are now going to pass what we spent well over a year ago. If I were a funny person—I do not mean that in the way some others would say it—I would simply say this is the most crazy kind of debate and crazy kind of situation we have ever had in the Legislature in Ontario.

In closing my remarks, I have to come back to the fact that I sat in this House—I have only been here 12 and a half years—and listened as an



opposition member to the Treasurer railing away, much more so than I have done here today, about this whole procedure, how wrong it was, how it did not resolve things and how we had to change it. Here we are today looking at a situation that is even worse than when we had the Tories here and the Tory majority. I am simply asking how is it and how can it be?

One of the members said it was all the petitions; that five days of petitions caused this kind of backlog, but I do not think the government is going to sell that to anybody. I simply ask the Treasurer to look back at his own comments over the past few years, his own criticisms and his own outlining of the necessity to make some changes that would make this place work in terms of a serious critique of the spending in Ontario.

**Mr. Pollock:** Madam Speaker, I am going to give five minutes to my colleague the member for Etobicoke-Rexdale (Mr. Philip).

**The Acting Speaker (Miss Roberts):** Have you spoken?

**Mr. Philip:** No, I have not.

**The Acting Speaker:** The member for Etobicoke-Rexdale.

**Mr. Philip:** Thank you, Madam Speaker. There is a sense of co-operation in this House and I greatly appreciate it. In the brief time I have at my disposal, because I have covered a number of the issues that I was concerned about in my budget speech, I want to echo some of the comments that were made by the previous speaker.

I also want to say to the Treasurer, and I hope I have his support on this, that we do have some fairly concrete ideas about the estimates process that are being tabled. Different committees are looking at it from different points of view, but coming to similar conclusions. In this House, in the next few days, I will be tabling a report on behalf of the standing committee on public accounts that will deal with the estimates process. It stems from the Provincial Auditor's comments on the ineffectiveness of the old system.

The standing committee on the Legislative Assembly has made some concrete proposals. In terms of other types of reforms, the standing committee on regulations and private bills will be tabling another interesting report that will deal with other reforms that are necessary. I say to the Treasurer that I hope he will use his influence to see that these various reports that are complementary to one another will be debated in this

House and that the proposals will be implemented.

I would like to use a couple of minutes simply to thank the Minister of Transportation, with whom I spoke earlier, about his offer to look into a problem that affects many of my constituents. Just recently he has tabled a report on transportation. One of the transportation problems in my own riding is one that is related to the GO Transit train station at the corner of Kipling Avenue and Belfield Road. I have constituents who want to use that GO train system and not drive downtown, not congest our already overcongested highways. However, they have the problem that they simply cannot find adequate parking space at that facility. They get ticketed, and after one or two tickets or three tickets, they simply wish to say: "What the heck? It is not worth while. I will use my car after all."

I am saying to the Minister of Transportation that if we are going to have public transit, it has to be accessible. If we are going to have GO Transit and we want people to use it, we have to have adequate parking facilities so that people can use those facilities and not use their cars.

If one is dealing with municipalities such as my community of Rexdale or the Mississauga communities, if we expect them not to use their cars and congest the highways, then we have to have ways in which they can come into central locations and use the public transit.

I appreciate that the minister, after speaking to me, is looking into the situation there. I see him in the House and he is nodding his head that he will get back to me on this particular problem.

Thank you, Madam Speaker, for a few minutes of the House's time.

**Mr. Pollock:** I am pleased to take part in this interim supply debate. Because I am the critic for the Ministry of Natural Resources, one thing I want to zero in and talk about is actually some of the minister's estimates. My major concern is forest fires in northern Ontario.

I see in the estimates of the Ministry of Natural Resources that the budget for aviation and fire management was actually down \$11 million. That is a major concern to me because we have just had a forest fire in northern Ontario which burned over 55,000 acres, and I understand that some of that was replanted forest. That forest fire actually started in a landfill site.

1740

I would like to know whether that particular landfill site had a bumper area around it so that if a fire got started, it would not spread into the forest. After all, in my own local area on



numerous occasions, I have seen landfill sites catch fire. Possibly, somebody throws a cigarette in. In some cases, people actually set them on fire, and in other cases, people clean out their fireplace or their furnace and they have live coals and throw them in there and it actually starts a fire in a landfill site. Of course, once that fire started—it started at night—they were not able to bring it under control until the next morning and by that time it had actually got out of control.

One of my major concerns, though, is that according to the map in the *Toronto Star* here, this fire went straight north for 27 miles, but halfway back that distance it had to go through places named Ottermere and Malachi. Right across that area, there is a railroad line. If all the stops had been pulled out, why did they not try to stop that fire at that particular point? Maybe they could not have; maybe it went through there at night. I do not know. That is a major concern of mine, why that fire was not stopped at that particular place.

As I said, maybe they could not have, but that fire went on to do a lot of damage, and I am concerned about it. I listened to the minister's statement in the House about that particular fire. He said we had some of the best firefighting equipment in the country. Madam Speaker, you know, and most people here know, that Ontario is the richest province in the country. We have a bigger population and maybe more wealth than Quebec, the Maritimes and Newfoundland, so we should have by far the best firefighting equipment in the country.

It was also in the minister's statement that they had two planes from Quebec. We did some checking on that and we actually found that we had four planes from Quebec, water-bombers. As far as that is concerned, though, in wartime we were able to fill the skies with planes when we wanted to bomb another city, but now all we can come up with is four planes from our neighbouring province and what we put into actually trying to put out the forest fire ourselves. I never did get a handle on how many planes we had there.

These are questions I would like to raise. I could also refer to Red 7, which was another forest fire that took place back in 1986. That particular forest fire burned over an area bigger than the city of Toronto, and it was actually virgin timber. I have heard rumours, and I guess you should not put an awful lot of stock in rumours, but the local people claim that those water-bombers would start out in the morning and then they would come in at noon, but there would be nobody there to take another shift.

I realize that flying one of those water-bombers has to be a very dangerous and high-risk job, so you could not possibly stay at it for a real length of time. So why was there not another shift? They claim, too, that if there were any breakdowns with those water-bombers, they had to fly them all the way back to Thunder Bay for repair. They did not have backup repair right there, near where the forest fire was.

I am also a little concerned that you hear from time to time that forest fires get started this way or that way, usually by people who are careless with campfires.

I would like to know too if there were ever any charges brought against these people who do not take care of our forests, because if there was a fire started here in the city of Toronto that caused millions of dollars worth of damage, it would be the headline in some of these Toronto papers, but they have these forest fires in northern Ontario that cause literally millions of dollars worth of damage and you really do not hear much more about it. It just becomes a matter of fact.

The Minister of Natural Resources (Mr. Kerrio) has also had a buyout program for gill nets in eastern Ontario. One has to ask the question too, if you have a buyout program for eastern Ontario, why would you not have a buyout program for all of Ontario? Practically everybody realizes that there is a tremendous amount of waste as far as gill nets are concerned. Fish get caught in there, and if they do not check the gill nets regularly, these fish die and they are just wasted. I am very concerned that the government does not have a buyout program to get rid of gill nets all across Ontario.

Also, they have trap nets now, so the Ministry of Natural Resources should have financial assistance for commercial fishermen to change from gill nets to trap nets. That is a major concern of mine.

I would like to know also if all the money that the minister is actually taking in from the sale of fishing licences is going back into stocking our lakes and rivers in Ontario. That was where it was supposed to be going, and I would like to know if it actually is going back into that means.

I am also in favour of some limited logging in our provincial parks. They have been logging in Algonquin Park for years and years and it has not really seemed to hurt that particular park, so just to come out and ban logging in provincial parks, I question that. After all, I have a woodlot of my own. You can go down and you can take out so many logs one year, and maybe within five or 10 years there are as many logs there again. The



trees keep growing, so I question why that is a major concern, to ban logging in some of our provincial parks.

Those are some of the things I wanted to put on the record. I guess there is some time left yet but I will let somebody else speak.

**Mr. Breagh:** I think it would be appropriate for us to spend just a little time at the end of this afternoon—and it is our intention to let the vote carry today—to discuss what is fairly appropriate, because next week a group of us will be meeting to discuss a new rules package, which may be then put forward to the assembly to discuss and to adopt or to reject.

I think this afternoon, if it has served any useful purpose, has brought a bit of a focus to that. This is perhaps the most stupid, useless waste of the members' time that I could think of.

It is not that there should not be an occasion when a member can rise and say whatever he or she feels is appropriate. I think all of us recognize that the legislative agenda is getting jammed to the point where there are not many occasions any more when an ordinary member can rise in his place and get a chance to tell this assembly what is important to him, usually having to do with things that directly affect his constituency in a way that really is not important to the rest of Ontario but is to him, or get the opportunity to make a point about a particular policy or program of the government. The difficulty, of course, is that there is not much of a focus to it. There is often simply the opportunity to say what the member thinks is important.

Many of us, the Treasurer included, have spent a lot of time thinking about what we might do that would give us a process for examining the expenditures of a government that had a little more detail attached to it and a little more opportunity to examine expenditures before the money is all spent, to examine in broader terms the fiscal policies of a government. Some of these reforms have actually occurred here, though not very many of them.

1750

There is a little bit of notice, for example, given to municipalities now about what their grant structures will be in the forthcoming year. That is still not the kind of notice municipalities really need. There is a little more latitude allowed in some of the committee work around here, but still not very much.

The tragedy of course is that while we who are advocates of the British parliamentary system believe very strongly in our traditions, most of the parliaments that operate in that way have

recognized this problem and have sought to deal with it by a variety of techniques. Many of them have established an estimates committee, which charges one committee of the assembly to regularly and methodically go over the actual expenditures of money before it is spent.

We attempted, and have been somewhat successful, in establishing a public accounts committee here that has a fairly good reputation now for being at least able to gather information and to investigate. Many of us would advocate a lot more scope is required.

Surely what must be difficult for those who are trying to follow the proceedings this afternoon at home is just exactly what this is all about. I could not give them a good answer. I have been here a while and I cannot tell them what this debate this afternoon is about.

First of all, it is not really a debate. It is an opportunity for people to speak, but there really is not an argument under way. There is an opportunity to vote, but one votes on a mysterious resolution in Orders and Notices about vast amounts of money that have already been spent. Some would suggest that at their kitchen table this would be considered nonsense, and of course it is.

It is a tradition we have. As one who has a high regard for traditions, I think the trick with great traditions is to sort out those that serve no useful purpose and those that do. It strikes me that the kind of debate we have had here this afternoon on this government notice of motion 10 does not really serve the purpose any more, if it ever did.

We live in a day and age when governments, whether anybody likes it or not, are really major spenders in anybody's economy, and when there is a need to examine with a little more care and a little more detail how governments spend their money.

Those of us who come from municipal councils will attest to the fact that much of the agony in the work of a municipal council is the simple fact that a lot of its budget preparation is done at open meetings. People it represents have an opportunity to come and make their case to a council about a bridge, a road or an arena. If you are going to say no to them, you have to look them straight in the eye and say yes or no. That is kind of tough.

Now, I am not advocating, and I do not think any of us are, that the Treasurer has to gather nine million people together somewhere and tell them face to face exactly what his budgetary plans are, but there needs to be something akin to that. There needs to be an opportunity for him to be



accountable. There needs to be, I think from anybody's perspective—

**Hon. R. F. Nixon:** Why don't we get television in here, something like that?

**Mr. Breagh:** Yes. The great whale of a Treasurer we have mumbles that we have television in here. He has discovered that today and I welcome that discovery on his part.

There does need to be an occasion when some other aspects of this can be examined. Many of us have looked at, for example, an American system which despite their best efforts, does not appear to be a whole lot better than our system at controlling costs. But in terms of gathering information, they are really quite good at that.

I hope that in the next week or so we will be able to report to the House that there is an agreement to change the rules, the standing orders of this assembly, to provide for a better examination of expenditures; certainly to provide for an examination of money spent before it is spent, to get a look at what we have traditionally called the estimates and to deal with them when they really are estimates, not moneys that have already been spent.

I hope this is the last occasion when we have an afternoon like this. It is not that I am opposed to the notion that we set aside some time when ordinary members are allowed to say whatever they want to say. I am quite content with that notion. In fact, that is one of the things I personally want retained. But I am unhappy with the notion that this can only happen under the guise of something called an estimates or concurrence vote.

I am unhappy mostly because that prevents any thorough examination of the expenditures of money. Any government, whether it has a huge majority or a minority, ought to be grateful for the opportunity to have that kind of examination take place. It may seem a strange notion here, but there is not a municipal council in the province that does not face that exact set of circumstances and come out of it, really, with a better process and as a better council.

It is not such a horrendous idea. I have high hopes that we are near an agreement on the changes to the standing orders which will provide us, as a provincial assembly, with the opportunity to conduct that kind of examination. We have lived with the current estimates process for a long time and it has probably served its purpose and served it well. It is time now to devise some new schemes for doing that. I think, too, that one other thing should be said as we conclude this afternoon.

The changes being suggested are not really changes that are good for one side of the House or the other. It is my belief we only make changes when we are all convinced there is some good in it for both sides of the House. If we provide an estimates process which is a little sharper, a little clearer, with more definition and more process to it before moneys are spent, the end result of that will be, on the government side, that there will be an elimination of the embarrassment of misspent funds. That happens regularly in anybody's parliament today. It happened again in this assembly during question period this afternoon.

That, I think, makes the government look good. It provides to the opposition parties that opportunity to take a look at and to play a role in how government functions. That is something that is rather sadly lacking in this parliamentary process we have.

I hope this will be the last occasion of its kind. I hope we will replace it with a system which is better, which is more straightforward and which is more meaningful for members on all sides. That, I believe, will take us to a parliamentary system which honours our traditions of changing with the times and adapting to new sets of circumstances.

That, in my view, has been the great strength of the British parliamentary system, that it has never remained static. It has always been able to retain its great traditions and yet to change, to adapt. If members are able to visit other parliaments like ours, they will see something that is similar in nature, but the great trick of a parliamentary system is that it can adapt to different circumstances, can change with the times, can provide a vehicle under the guise of a British parliamentary system that is suitable to your jurisdiction.

I think the changes that are being proposed to the standing orders do that. I welcome them and I would like to conclude my remarks on this great debate this afternoon by simply saying that enough is really enough. We have done this often enough to know that it does not provide us with the good review of estimates we want. We have looked at suggestions which I think will improve the situation substantially, and I do hope we get on with that task.

Motion agreed to.

## INTRODUCTION OF BILL

### SUPPLY ACT

The following bill was given first, second and third readings on motion by Hon. R. F. Nixon:



Bill 144, An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending March 31, 1988.

#### BUSINESS OF THE HOUSE

**Hon. Mr. Conway:** I want to congratulate the House on such an expeditious discharge of the business.

Pursuant to standing order 13, I would like to indicate the business of the House for the coming week.

On Monday, May 30, we will consider third reading of Bill 98 and thereafter move to committee of the whole House stage of Bill 125, an education bill, followed by second reading of Bill 117, the Ontario Loan Act, and Bill 118, the Financial Administration Amendment Act, both

of which bills stand in the name of the Treasurer (Mr. R. F. Nixon).

On Tuesday, May 31, we will deal with the nonconfidence motion standing in the name of our friend the member for Sarnia (Mr. Brandt).

On Wednesday, June 1, and Thursday, June 2, in the afternoon, we will consider the following legislation as time permits: second reading of Bill 100, Bill 59, Bill 128, Bill 82 and Bill 126. On Thursday morning, we will consider private members' ballot items standing in the names of the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) and the member for Wentworth East (Ms. Collins).

The House adjourned at 6:01 p.m.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cunningham, Dianne E. (London North PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaitre, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
**Mancini, Hon. Remo**, Minister without Portfolio (Essex South L)  
 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)



Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
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 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
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 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)  
 Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)  
 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reyecraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
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 Swart, Mel (Welland-Thorold NDP)  
**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)  
 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
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 garry PC)  
**Ward, Hon. Christopher C.**, Minister of  
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 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
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 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
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**Wrye, Hon. William**, Minister of Consumer and  
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No. 70

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Monday, May 30, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, May 30, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### ENVIRONMENTAL PROTECTION

**Mrs. Grier:** Today marks the opening of Canadian Environment Week. I regret to find that the Minister of the Environment (Mr. Bradley) will not be in the House to mark it with us. He is, of course, making a grand speech somewhere, allowing the media a full photo opportunity. After all, that is his job.

Meanwhile, we have seen almost an entire session of this Legislature pass with no new initiatives having been taken by the government to protect the environment. Where is the long-promised policy on intervenor funding? Where are legislation and standards to protect our drinking water, an issue made even more critical by events such as last week's chemical spill in the St. Clair River? Have private projects been brought under the Environmental Assessment Act? No. We have a discussion document on that issue and another one on a new air pollution regulation, but no legislation.

The only piece of environmental legislation before the House this session has been my private member's bill to enact an environmental bill of rights. It reached the standing committee on resources development before being derailed and deferred by the government majority.

Then there is the municipal-industrial strategy for abatement, the cornerstone of the government's pollution control program and problem. The timetable for implementation proudly announced by the minister in June 1986 said that, of the nine industrial sectors, seven would have monitoring regulations in place by June 1988. We are almost into June, and guess how many monitoring regulations have been issued? Not one.

It is a sad commentary with which to begin Canadian Environment Week.

### ROUGE VALLEY

**Mr. Cousens:** This is Canadian Environment Week. I would like to illuminate the public on the lack of environmental leadership that we are

experiencing in this province. Let us consider the Rouge Valley, an environmentally significant area and the last green door in Metro Toronto. While the city of Scarborough has taken a stand to promote regional-scale open space, recreation and rural heritage in the Rouge Valley, the Liberal government, the major landowner, has yet to come up with a plan that it can stick to.

This government makes its decisions by headline. One day housing is important; so the government says, "Let us put houses in the Rouge." The next day garbage disposal is important; so the government says, "Let us put landfill in the Rouge." Now provincial parks are the issue; so the Liberals want to make a park out of the Rouge. By default, they have finally come to their senses. This Liberal government has managed to turn 360 degrees and is back to the original provincial plan for the Rouge.

The previous Tory government supported a park concept for the northeastern Scarborough lands since the early 1970s. The present Liberal government must stick to this plan now and support Scarborough's decision to keep open the last green door of Metro Toronto.

How can the Minister of the Environment expect this crisis to be resolved if he will not even co-operate with Metro and regional officials and sit down at the same table to ensure that there is an all-out, co-ordinated effort to tackle this mountainous problem?

### SMALL UNIVERSITIES

**Mr. Adams:** I rise to draw the attention of the House to the importance of the small universities within the higher-education system of this province. In these days of limited funds, there is a great danger in education and elsewhere of thinking in terms of "big is better" rather than "small is beautiful." We assume that the economies of scale automatically apply to universities in the same way they do to other institutions in our society.

I submit that the strength of our university system lies in the spectrum of institutions rather than in one or a few of those institutions. Within that spectrum, the small universities have a special place, nurturing students in a personalized, educational environment, allowing our



young people to mature in an institution which they feel they can influence rather than simply being influenced by it. This gives them a confidence which lasts for life.

I urge the Minister of Colleges and Universities (Mrs. McLeod) to use her personal influence and knowledge to counteract the natural but unhealthy tendency for the interests of the large universities to override those of the small.

#### CHRISTIANITY IN THE UKRAINE

**Mr. Philip:** Yesterday the Minister of Citizenship (Mr. Phillips) and I had an opportunity to participate in an ecumenical service in front of the parliament buildings. This service, organized by the Ukrainian Canadian Committee, commemorated the 1,000th anniversary of the beginnings of Christianity in the Ukraine, which can be traced to the missionary activities of St. Andrew.

Congratulations should be offered to the Ukrainian Canadian Committee on a very successfully organized activity and to the 4,000 people who gave up their Sunday afternoon in very warm weather to participate in this memorial celebration.

It is ironic that at a time when hostility between the world's greatest powers is being diminished, Christians are still being persecuted for practising their faith in the Ukraine. Let us hope that the service held yesterday in front of our democratic parliament and similar services throughout the world have made a impression on the Kremlin leaders. Let us hope that glasnost and perestroika will be extended to the treatment of practising Christians in the Ukraine.

#### SERVICES FOR THE DISABLED

**Mr. J. M. Johnson:** Just recently, I received a letter from the Minister without Portfolio responsible for disabled persons (Mr. Mancini), reminding all members of this Legislature that this week, May 29 to June 4, is National Access Awareness Week. "Partners in community action with disabled persons" is what the booklet says.

I would like the minister to know that I strongly support his initiatives to make life better for disabled citizens, but I truly wonder if his government shares the same commitment. I would like to use three examples of ministries that have not followed his instructions.

**Ministry of Natural Resources:** By banning the use of outboard motors, including those tiny, silent, electric motors, in 91 wilderness and nature reserve parks—10.5 million acres—the

ministry is denying access to these parks to thousands of our elderly and disabled citizens.

**Ministry responsible for senior citizens' affairs:** Disabled seniors living in two-storey senior citizens' apartment buildings are being denied access to their own homes or apartments if they become disabled and cannot use the stairs and there are no elevators in those buildings. This is a responsibility someone in the ministry has to take on.

The Ministry of Health is not providing adequate funding for orthopaedic and arthritic hospitals, so many disabled people are placed on surgical waiting lists of two or more years. This certainly is an example of a government that really is not serious about the wellbeing of the disabled citizens of our province, as it should be.

1340

**Mr. Cousens:** The people around Metropolitan Toronto are becoming increasingly unhappy with the problems we are having now in this city with—

Interjections.

**The Deputy Speaker:** Order, please. There was a Liberal member whom I did not see, the member for Halton North, pardon me.

#### ROYAL ONTARIO MUSEUM

**Mr. Elliot:** Thank you, Mr. Speaker. I would like to make a statement supporting one of our neighbours, the Royal Ontario Museum.

On the invitation of the Minister of Culture and Communications (Ms. Oddie Munro) and Joan Thompson, deputy chairman of the board of trustees of the ROM, 15 representatives of the Liberal caucus visited the museum on Tuesday, May 17. We visited the museum primarily to hear a presentation on the museum's outreach program, but we were also privileged while there to take part in a tour of the Treasures of the Holy Land exhibit, which opened May 9 and continues until September 5, 1988.

The outreach program at the Royal Ontario Museum is comprehensive. I would like to highlight two features of it in this statement. One package is called the Skyshow Learning Resources Package. This includes a full-colour wall chart, a 26-page student manual and an 11-page teacher's manual. This package contains 13 different sun topics.

A second package is called the resource-box program. ROM resource boxes contain museum materials available for loan only to teachers. There are 29 resource box topics listed in the ROM literature, covering such diverse topics as fossils, minerals, dinosaurs and 19th-century



writing. A resource box labelled Insects could be used by a kindergarten teacher or a biology teacher on insect classification.

We came away from the ROM with the distinct impression that we are fortunate to have—

**The Deputy Speaker:** The member's time is up. Order, please.

### HOSPITAL SERVICES

**Mr. Reville:** I have a letter from a patient in Ontario waiting 10 months for hip surgery, who thinks the government's response is completely shocking, without any compassion and somewhat callous on the part of the Minister of Health (Mrs. Caplan).

It tells this writer that our society should not expect the best when it comes to health care, even though we have contributed our best to make this province and our society the best, to quote the Premier's (Mr. Peterson) election rhetoric.

### STATEMENT BY THE MINISTRY

#### HOUSING ON GOVERNMENT LAND

**Hon. Mr. Patten:** The Minister of Housing (Ms. Hošek) and I last month announced that five government-owned sites in Metropolitan Toronto would be made available under the Housing First policy to create more housing for low- and moderate-income earners. At that time, I stated that this policy of providing government-owned sites for housing would be applied across the province.

Earlier today, I talked with Bill Sears, regional chairman of Hamilton-Wentworth, and Dan Napper, mayor of Stoney Creek, and I am pleased to announce a major housing undertaking on 97 acres of land in Stoney Creek, a community of some 45,000 people near Hamilton. This is for the purpose of creating more affordable housing for Hamilton-Wentworth.

My colleague the Minister of Housing and the member for Wentworth East (Ms. Collins) today are making similar statements about our new plans for the Stoney Creek site. Heritage Green is the name of the community. It is located on Stoney Creek mountain, north of Highway 53 and west of Highway 20. It is a planned community designed to provide a broad range of housing from large-lot single units to medium- and higher-density residential blocks.

To date, 1,450 units have been constructed on 377 acres. The remaining 950 acres of provincial land have the potential of producing an additional 6,500 housing units with institutional, recreational and commercial facilities over the next 10, 15 or 20 years.

In the coming months, my ministry is moving to develop and market 45 acres with the potential of 420 housing units, including a mixture of detached and multiple-family homes. We also expect approval this summer on a draft plan to develop a further 52 acres of Heritage Green, providing additional single-family, semi-detached and medium-density units.

My ministry has completed a comprehensive, secondary planning study for the remaining lands. The secondary plan is now before the city of Stoney Creek and the region of Hamilton-Wentworth for approval. Once approved, the plan will establish land-use designations and development patterns for many years to come.

In these plans, special attention has been given to promoting Housing First programs by making sites available to create affordable housing. When completed, approximately one third—closer to 35 per cent in fact—of the Heritage Green development will be housing for low- and moderate-income earners.

As well as the sites in today's announcement, my ministry has just completed the sale of 163 serviced lots in Heritage Green and we anticipate construction of housing will begin next month. Proceeds from the lots sold to commercial developers for single-family and semi-detached housing will of course be applied to the housing development fund announced by my colleague the Minister of Housing last month.

Throughout the development of the Heritage Green community, the provincial government has worked hard and worked hand in hand with Stoney Creek to plan balanced neighbourhoods on these government-owned lands. This process will continue as more lands are released in the coming months and it underlines our commitment to work in partnership with municipalities. Developing surplus provincial lands is just one part of the solution of current housing situations, but it is an important demonstration of our recognition of the need and our political will to act.

We intend to make further announcements regarding other sites throughout the province and sites within and around Metropolitan Toronto.

### RESPONSES

#### HOUSING ON GOVERNMENT LAND

**Mr. B. Rae:** I think it is important for the Minister of Government Services (Mr. Patten) and this government to come clean in terms of what they are doing. When they announce that they are making surplus land available for housing, buried at the end of the statement is the



description of what this government is doing. What it is doing, in fact, is selling off land to private commercial development so that the government makes money off that sale and then, having taken that money, it puts it into something called its housing fund, which is going to be used one day to produce other kinds of accommodation—what is referred to as affordable accommodation of one kind and another.

The minister is shaking his head. What I heard him say and what I see in the statement today is that they have “completed the sale of 163 serviced lots in Heritage Green and we anticipate construction of housing will begin next month. Proceeds from the lots sold... for single-family and semi-detached housing will... be applied to the housing development fund announced by my colleague the Minister of Housing” in March.

The minister is saying that and, as I understand it, what we are seeing is precisely the same problem we have had in Malvern. Instead of directly using government land for the construction of affordable housing, what the government is doing is, at least in part, selling off that land and putting that money into a fund which will be used to build housing.

Where? The answer is “Someplace else.” That is the problem. What we have is a government where the Minister of Housing (Ms. Hošek) together with the Premier (Mr. Peterson) sit down and talk to the municipalities and make it sound as if they are going to get really tough about how the municipalities are supposed to plan in terms of affordable housing. But when it comes to its own land, what we see is a government that is prepared to do precisely what municipal governments are doing, precisely what private developers are doing, precisely what is the problem, and that is to sell off available land in exchange for money which will be used for whatever purposes the government decides it will be used for.

It is all very well to say we are building up money in the housing fund, but it does not provide shelter for people who need it, it does not provide a roof over the heads of families who want it and it does not deal directly with the problem. What we face is not a shortage of money; what we face is a shortage of land—serviced land—and lots which the government is prepared to use on behalf of those who need it most.

While all looks sufficiently rosy indeed for the minister to be away together with her colleague to make the announcement, buried within the announcement is an indication that the govern-

ment is a speculator and a developer just like everybody else. That is what troubles me. What troubles me is that the government is not using its land for the most affordable kind of housing; it is using its land to sell off to development.

**1350**

**Mr. Philip:** On the minister's statement, what we still are lacking in this province is a comprehensive audit and plan for the use of crown land to create directly affordable housing for the people who are in need of that housing. This proposal does not do anything to solve that problem.

We have been waiting for years and years with both this government and the previous government. This government announced it was going to do the adequate audits, and we still have not had those audits. We still do not know exactly where it plans on using the crown land or if it plans on using it all directly to create some affordable housing.

There is nothing in this statement that suggests the price range at which this housing that is being created will come in. We can tell by the description that certainly what is going to be constructed on that site, on crown land, will hardly be affordable housing. There will be detached homes, and I am willing to bet they will cost \$200,000 or higher.

What we have here is an announcement that looks like a plan but is no plan at all.

**Mr. J. M. Johnson:** I would like to commend the minister for at least moving in the right direction and suggest that one of the problems we have in housing is affordable lots. If we can free up some lots, as in the method the minister has just presented to the House today, it is one avenue that we should be approaching, but I strongly urge the minister to do more, especially in other parts of the province.

The minister stated in the last paragraph that he intends to make further announcements regarding other sites throughout the province and within and around Metropolitan Toronto. I realize there is a very great urgency for this part of the province, but in many of the other municipalities there are people who need affordable housing as well. I think the major problem is that lots are so expensive that only really expensive homes can be built on them. It would make more sense to have less expensive lots.

One of the problems we have is the conflict between the ministries. We have the Ministry of Agriculture and Food refusing to allow practically any land to go out of agriculture, and in many of the small municipalities in rural Ontario they



need land to build on. By refusing to allow any land to go out of production, the ministry does not allow this to happen.

The Ministry of the Environment creates a problem. In a small village in my riding, the Ministry of the Environment insists that the municipality must put in a new sewage treatment plant. The Ontario Municipal Board will not allow it to go ahead and borrow the money that is necessary to put in the plant. It cannot grow without the approval of the OMB, and the Ministry of the Environment will not assist it to the degree that is necessary to achieve the results the government is looking for.

The government has a conflict within ministries. The Ministry of Agriculture and Food, the Ministry of the Environment, the Ministry of Housing and the Ministry of Municipal Affairs should all be working to resolve the issue, working together with the municipal councils to help them to plan affordable lots. If the price of land is reasonable, then the houses will be reasonable as well.

I hope the minister will give consideration to working with his caucus colleagues and his fellow ministers in designing some type of program that will help small, rural municipalities as well as downtown Metro.

**Mr. Cousens:** Maybe we have a new Minister of Housing. The Minister of Government Services is able to have as much influence in this government as the Minister of Housing when it comes to making announcements.

We are glad to have announcements like this for Stoney Creek and we would like to hear more announcements. If the minister wants to schedule one for tomorrow and one for the next day and to start bringing them closer to Metropolitan Toronto and to those city and urban areas where we have problems, we would be very pleased.

I know this sounds like a good project and it sounds as if there has been co-operation among the government, the municipality and the regional government. That is as it should be. But the shocking thing is—

**Mr. Ballinger:** Do you agree?

**Mr. Cousens:** Sure I agree. Let us give them a compliment when it is due. We will throw them another banana. But we need to have more happening in those areas where there is a crisis right now.

I would like to comment briefly on the point that was made by the member for Wellington (Mr. Johnson). We have several ministries that are involved in housing problems. Why is there not some consolidation of this so that we have the

Minister of Housing, the Minister of Community and Social Services (Mr. Sweeney), the Minister of Consumer and Commercial Relations (Mr. Wrye) and the Minister of Municipal Affairs (Mr. Eakins) all working together so that there is a chance of something happening?

Interjection.

**Mr. Cousens:** Not the Minister of Labour (Mr. Sorbara). If the minister gets rid of the labour strikes and labour disputes, then he will have done something.

I would like to comment briefly as well that here we are talking about further announcements throughout the province and in and around Metropolitan Toronto. I would love it if the minister could come along with some time frame within which he is going to do something where the crisis is especially bad. We are using the word "crisis" not just because it is a problem we have had for a while. When we have two units in a thousand available for people in a large urban area such as this, the problem is not getting any better. We have to have a spirit of co-operation between the government and the private sector so that there is some way in which we have a program that develops into the future. I do not see that happening.

This is an isolated example. This is not the standard. This is not something the news media should start thinking is going to be happening every day, because I doubt very much whether there will be another announcement like this tomorrow or next week or how soon it will be before the government does something more. This has to be the beginning of a significant effort, not just more window dressing, not just more words. Let us start accomplishing something to address the needs of those people who are desperate for housing. Let us start putting it together in the government first, and if there is one person who is going to head it, it should happen without delay. We can begin to see some progress.

## ORAL QUESTIONS

**Mr. B. Rae:** I have a question on poverty and welfare assistance of the Premier (Mr. Peterson), but I do want to wait for the Premier to return, so I will stand down my first question and will ask a question of the Minister of Health.

## HOSPITAL SERVICES

**Mr. B. Rae:** The minister has heard some of what I have to say before and I say to her in all sincerity I am going to keep on asking until the situation changes, because the cases just keep



coming in at such a rate that we simply have to deal with this problem.

On Friday of last week, I met with a woman whose name is Ann Ricker. She is 54 years old. I visited her at her home in Welland. She is very badly crippled with rheumatoid arthritis. She has terrific difficulty in getting around her house. She is in enormous pain. She basically has had rheumatoid arthritis for nine years. She has been talking to doctors about an operation for the last four years. Now she got a letter from Dr. Cameron saying that she is, again, one of these patients who is going to have to wait. Her operation has been rescheduled from November 1988 to November 1989.

What specific steps can the minister outline which she is now prepared to take to deal with those patients who are on a waiting list for a year and a half to two years and who are in excruciating pain? I am sure the minister will appreciate that the system simply has to respond to people who are in this kind of need.

**Hon. Mrs. Caplan:** As I have mentioned before in the House, waiting lists are not something new. They have developed over the past number of years. We have surveyed hospitals in this province to determine their waiting lists specifically for hip replacements. In fact, it varies across this province from two weeks following consultation to 28 months.

I am concerned about the wide variance in those waiting lists. It is the physician who determines, and his responsibility to determine, where on the waiting list the patient is placed, but it is important to note the causes of these waiting lists. We are reviewing them right now. Often it is the patient's choice of doctor, the urgency of the case or the complexity of the surgery required.

**Mr. B. Rae:** The patient does not choose the specialist. The specialist is somebody a general practitioner refers the patient to. That is all very well, but first, it is not a hip replacement, it is a knee replacement, which is a somewhat rarer and trickier operation in terms of its widespread use across the province.

I would simply like to refer the minister to another problem, if she can, while she is dealing with that one. Phillip Tourangeau from Windsor has been on the urgent waiting list for a triple heart bypass since February 1988. He is 61 years old and has had two heart attacks, one in December 1986 and one in November 1987. His angiogram, which was done in February 1988, indicated the need for a bypass, but Victoria

Hospital in London has been unable to schedule this surgery.

There are 100 people on the waiting list at Victoria Hospital. We have learned this morning that the hospital will be cutting back operating-room time by 25 per cent over the summer months—which is not unusual, in the sense that it is not the only hospital to be doing this, but it is going to have an impact on that waiting list.

Again, I have a question directly to the minister. If she says the problem is planning and if she says the question is who is going to plan and who is going to be in charge, I say to her that if she wants to take the responsibility for planning, she should take it.

I would like to ask her what she is going to do as minister to reduce this unacceptable length of time for patients whose lives and whose health is being risked because of the waiting lists across the province right now.

**1400**

**Hon. Mrs. Caplan:** The substantial difference in waiting lists across the province is something that concerns me greatly because I think it speaks exactly to the issue we have been discussing here, and that is planning. If we allow the hospitals to plan independently and individually, then we end up with this wide disparity of waiting lists which, in some cases, as I have said to the member, are from two weeks to 28 months. That is clearly unacceptable.

We are looking at a number of measures. We do not believe, however, that it is simply a question of throwing money at the situation. What we are looking at is central bed registries. As I have mentioned in the case of cardiac care, it has worked quite successfully in a number of other situations. We are also looking at working closely with the district health councils as we review those waiting lists and also remind the physicians and the hospitals in this province that they have a responsibility to make sure that those requiring urgent care do receive priority. That is how the system is designed, and I believe there is much we can do to make sure it operates both efficiently and effectively.

**Mr. B. Rae:** To those patients who are waiting in pain and listening to this question period, if there is something the minister can do, the question on their minds is why in the name of goodness she has not done it now so that people do not have to wait the way they have been waiting. If she has the answers, why does she not start to implement them so that Mrs. Ricker does not have to wait until November 1989 to be relieved of her pain?



I would like to ask by way of final supplementary to the minister, who talks about planning and how she is introducing new modes of planning, what she is going to do about the situation in Ottawa, where we have done a complete review of all the waiting lists and the occupancy lists in the hospitals and how they have changed since 1985. The number of patients who are occupying acute care beds in Ottawa hospitals who are in fact chronic care patients has grown by 27 per cent since December 1985. The average number of patients who are inappropriately placed, as the bureaucrats say, has gone up from 36 per cent to 46 per cent in 1987.

We can do a survey of community after community and we can continue to pile up the cases of patients who are waiting. What we are saying to the minister is, if she is not happy with the current administration of the hospitals, if she is not happy with the current law with respect to how hospitals plan, if she is not happy with the way in which these things are being done, if she is not happy with the way in which doctors are prioritizing patients who are sick, then it is her responsibility to do something about it; it is her responsibility to see that the waiting lists are reduced—

**The Deputy Speaker:** And the question is?

**Mr. B. Rae:** —and that we do not continue to have patients in hospitals when they should not be there.

**Hon. Mrs. Caplan:** I am very concerned that we have services available in communities and regions across this province when patients need them as close to their homes as possible. We are moving, and in fact we have taken significant steps in the past three years to address this. We have significantly increased hospital base budgets by some 39 per cent. We have added some 400 new beds, particularly chronic beds, across this province, and they are in various stages of planning as part of an \$850-million capital program.

We are looking at a number of initiatives: One, we are working very closely with district health councils and hospitals on an individual basis in the short term while we get this kind of new mode of good planning and help them, rather than accusing or getting into any kind of confrontation mode with them. We are working closely with them individually. We are working with district health councils to ensure that we have the kind of good planning that will mean these problems that have existed for some period of time in the past will be corrected in the future as we lead to our goal of fairly funding our hospital system.

**The Deputy Speaker:** Thank you. As the leader stood down his first question, we shall go with the member for Sarnia.

**Mr. Brandt:** My question as well is for the Minister of Health. The question relates to and flows out of the series of questions raised by the Leader of the Opposition (Mr. B. Rae). The minister indicates that she is concerned about health care and as well that there has been an expansion of the number of beds over the last while—I believe she used the number of 400.

**Hon. Mrs. Caplan:** Four thousand.

**Mr. Brandt:** She said 400.

**Hon. Mrs. Caplan:** Four thousand.

**Mr. Brandt:** There are 4,000 additional beds?

**Hon. Mrs. Caplan:** Yes.

**Mr. Brandt:** What I would like to point out to the minister with respect to the hospital bed situation and the waiting list is that tomorrow the hospitals that are in a deficit position have been asked to provide her with balanced budgets. I would like to know if the minister is aware, and I am sure she is, that some 90 hospitals are in a deficit position and it will require approximately \$60 million to clear off the deficits of those particular hospitals.

In doing a survey of only eight of the hospitals, it would appear that in order for those eight hospitals to meet the minister's requirements for a balanced budget, they will have to, not open or increase the number of beds, but close 156 beds, which will obviously aggravate the waiting list and increase the length of time patients wait for these services.

I ask the minister, is that acceptable to her?

**Hon. Mrs. Caplan:** We have announced a well-planned program for ensuring we have hospitals that can balance their budgets. One year ago, the former minister gave them an across-the-board increase to bring them into a balanced situation. We asked them to submit balanced budgets this year. We have been reviewing those with chronic deficits and from the information we have, we intend to move in the future to fair funding.

What we have said is that we recognize there are some situations where the ministry has approved programs and not adequately resourced the base. We also recognize there are some situations where hospitals have acted independently, for whatever reason, and expanded programs, or started new programs or added medical staff and services without adequate resources and without ministry approval.



We are working with them on an individual basis as they present their budgets so that we can have the kind of system across this province where the Minister of Health does not simply write the cheques, but encourages the kind of good planning of our health care system that will result in better health care in this province.

**Mr. Brandt:** Let it be said that we on this side of the House are all in favour of good planning. We share the concerns of the minister and we want to have a well-managed health care system. But I ask the minister to be somewhat sympathetic about the fact that in many of these hospitals, we are not talking about increasing the services the hospitals are providing. We are in fact talking about an increase in demand for existing services on the part of many of those hospitals.

To give her a specific example, my own hospital, St. Joseph's Hospital in the city of Sarnia, will have to close 40 beds for one year to meet her demands with respect to budgets simply because it has had a tremendous increase in the demand for services through that particular hospital—no new programs, no outside embellishments to what it has offered in the past, but simply an open-ended demand on the system over which it has no control. I ask the minister, is she prepared to allow that hospital to close 40 beds because it is operating at a deficit?

**Hon. Mrs. Caplan:** I have said very clearly on a number of occasions in this House that we will ensure that essential services are maintained in the communities across this province. We have not cut any budget of a hospital in this province. They have all been increased and we are working with them to assist them to balance their budgets.

We recognize there are two approaches we could take. We could simply throw money at the situation or we could work closely with district health councils and hospitals to help to rationalize services in communities, to regionalize care and to make sure we are using our resources as efficiently as possible.

Where we have a situation that we have not adequately resourced, based on approval in advance and approved programs, we will make those adjustments. Where we find that hospitals have acted without ministry approval, we expect them to bring their services in line with ministry approval as we work to our goal in the future of having fairly funded hospitals.

[Applause]

**Mr. Brandt:** I am pleased to see the rump over there applauding this particular answer because I find it totally unacceptable. They should listen

carefully to what the hospitals are going to have to do to meet the demands of their minister.

Emergency wards are being closed for the night. They are turning away ambulances when the wards are too full. They are cutting back on replacement surgery for orthopaedic patients, as the Leader of the Opposition has pointed out. They are cutting back on neonatal beds, less than five months after several infants in this province were flown out of the country because of lack of beds right here in Ontario.

Does the minister find this an improvement in health care in Ontario? Does she find that the services I am talking about are services she has not approved and should not be offered by the hospitals? I find her position totally unacceptable. I find that applause over there to cut these kind of services absolutely insulting.

1410

**The Deputy Speaker:** The question has been asked.

**Mr. Brandt:** Can I ask the minister to give us some answer as to what she is prepared to do for these hospitals?

**Hon. Mrs. Caplan:** There are a number of points I would like to make, that is, if this member of the third party had managed better when his party was in government and sent a consistent message to the hospitals, we would not have that problem today.

Interjections.

**The Deputy Speaker:** Order.

**Hon. Mrs. Caplan:** Mr. Speaker, let me tell you something. No one in a life-threatening situation in this province will ever be turned away from a hospital. Essential services will be maintained in the communities. That is the commitment we have made. We are committed to well-planned and well-managed health care in this province. One thing further—

Interjections.

**The Deputy Speaker:** Order, please. You are just wasting your own time. Is the minister finished?

**Hon. Mrs. Caplan:** Yes.

#### REPRODUCTIVE CARE

**Mr. Eves:** I also have a question for the Minister of Health. On September 30, 1987, her Advisory Committee on Reproductive Care submitted its second report to her. In the second week of May 1988, some eight months later, she quietly made this report available at the Ontario Government Bookstore. The minister has had the



report for eight months now. What action has she taken to implement its recommendations?

**Hon. Mrs. Caplan:** We have taken significant action to implement the recommendations of this report. The ratios at the present time in Ontario, if you consider all of level 3 including the modified beds, are at 1.9 per cent. The report recommended 1.75 per cent.

**Mr. Eves:** Let me quote to the minister from the report:

"At the present time, there are no ministry-funded positions for the training of subspecialists in obstetric or paediatric perinatology. An urgent need exists for the funding of positions for subspecialty training."

On May 16 in this Legislature, in response to a question of mine about residencies in the province, the minister told this House that manpower planning was a priority with her. Yet she has ignored manpower planning suggested by this committee, which she commissioned, and she and her predecessor have a policy to reduce the number of residencies in the province by 200.

What is the minister going to do to ensure that there are enough specialists to meet the demands of perinatal care in this province so our patients do not have to go to Winnipeg or Buffalo in the future?

**Hon. Mrs. Caplan:** Let me remind the member opposite that Ontario is a world leader in both neonatology and perinatology. We have one of the best systems in the world. We are constantly trying to improve that. That is the reason we have the report which he has been referring to. We have been making progress in implementing the terms of that report.

I want to say that I am quite surprised that, in his very first opportunity to rise in the House today, the member did not clarify for the House some of the details of the inaccurate information he gave to the House last Thursday.

**Mr. Eves:** The Ministry of Health has funded four modified level 3 perinatal centres in northern Ontario. The minister made reference to that in response to the initial question. However, to go on and quote her own report even further: "These units will exist only on paper until properly trained professionals are in place."

The minister must increase training programs for these subspecialists so that perinatal units in the province can function and do not just exist on paper, to quote her own recommendations. When is the minister going to follow her own advice that she gave to the House on May 16 and do something about effective health care plan-

ning with respect to these specialties and perinatal care in Ontario?

**Hon. Mrs. Caplan:** The ministry is working very closely with the faculties of medicine to determine appropriate manpower planning strategies for across the province. As well, we have been working with the Ontario Medical Association and discussing these issues.

I am concerned that the member would rise in this House and not correct some of the false information in a question that was asked last week, as I know it is important for us to ensure that the information in question period that is asked here reflects—

**Mr. Reville:** On a point of order, Mr. Speaker: I have been listening to the answers of the Minister of Health. On two occasions she has suggested that a member provided inaccurate information. She has just now said "false information." Surely that is unparliamentary language.

**The Deputy Speaker:** I am sorry. I was in consultation with the Clerk.

**Mr. Harris:** By way of assistance and clarification, I agree with the whip from the New Democratic Party. When you get to the word "false," I think it is indeed unparliamentary, and I am sure the advice you are getting from the Clerk, Mr. Speaker, suggests the minister withdraw.

**The Deputy Speaker:** Would you please explain?

**Hon. Mrs. Caplan:** Yes, thank you. The information that was presented to the House last week was incorrect. I brought that to the member's attention and asked that he correct the record.

**The Deputy Speaker:** Case closed. New question?

## HOSPITAL SERVICES

**Mr. B. Rae:** I have a question, again for the Minister of Health. The buzzword she now uses is a system that she says is well managed and well planned. She uses that phrase over and over again, and I want to bring her back home to these patients, because the patients in this province are watching this program. They watch the minister at night, and as a result of the answers she gives at night, they start to write us letters asking, "What is going on here?"

I would like to ask the minister a very simple question: How can she talk about a well-planned system when the waiting lists for specific operations for knee surgery, for hip surgery, for



ankle surgery, for heart surgery, are longer now than they were before; they are getting even longer, they are not getting any shorter; and some patients are having to wait for as long as two years for surgery which is essential for their health, for their wellbeing, for their ability to work and provide for their families and enjoy the good things in life?

How can the minister have the effrontery to talk about that being a well-planned system when the situation is palpably, clearly—and we can graphically demonstrate it—getting worse?

**Hon. Mrs. Caplan:** We know that in our excellent system of health care in this province there are many problems and there are many issues. The question today is how we respond to them. Do we throw money at them or do we work closely with the hospitals and the district health councils to make sure we have rationalized services in a community—regional care, better hospital management in some cases, effective use of resources and planning techniques? I would say better manpower planning as well.

We have taken this second approach. We know that in the short term, as we work with hospitals individually, we will begin to address some of these great disparities in the length of lists. Clearly, having a two-week list at one hospital and a 28-month list at another hospital is unacceptable in our system. We are looking, through better planning, to make those kinds of changes by working with the hospitals co-operatively.

**Mr. B. Rae:** A heart patient does not want planning. A heart patient does not want rationalization. A heart patient wants care. Somebody wanting hip surgery does not want planning. Somebody wanting knee surgery does not want planning. What they want from the Minister of Health is the leadership that is going to allow them to get the care they need.

I would like to ask the minister what specific leadership and what specific—

Interjections.

**The Deputy Speaker:** Order.

**Mr. B. Rae:** No, Mr. Speaker, they can try to try to shout me down; I do not mind.

What specific guarantees is the minister going to make? What specific steps is she going to take to make sure that the people I have talked about, the people who talk to me, the people who phone me at home on the weekend—I cannot go back to them and say, “The Minister of Health says she wants to plan for you.” I want to know what they are supposed to do. What steps are they supposed

to take, what steps are their physicians supposed to take to make sure they get the care they deserve in this province?

1420

**Hon. Mrs. Caplan:** I want the Leader of the Opposition to know, and I believe he does, that I care very much about being able to resolve many of these problems as quickly as we can. Where we determine that there are waiting-list problems, and we know there are, we are meeting with those people who have advice and expertise to give us on how to resolve them in the short term, medium term and longer term.

Where we identify that a computerized bed registry would assist, we are moving to implement that. Where, as in cardiac care, we determine that there is a need to enhance the system through capacity, we are working very closely with the people who are advising us on how to do that. Where we determine that it is through independent planning in the hospitals, through expansion of programs in one area and not in another that we can look at how to reallocate some of those resources so that we can have a better approach, we are attempting to do that as well.

The approach we have taken is a consultative one in working closely with individual hospitals, working with the associations and the leadership of this province to resolve many of the problems that we have. But they are not simple problems, and it will not happen overnight.

**Mr. Harris:** I have a question for the minister of chaos.

**The Deputy Speaker:** Minister of what? Pardon?

**Mr. Harris:** The Minister of Health, I am sorry. After three years of her chaotic planning, we are now in the situation where Bill Payzant of North Bay gets a letter from the hospital notifying him that his hip replacement has been set back by an additional year. Cancelled for this July, it now goes to July 1989.

In the letter, the doctor goes on to explain that these delays are necessary for all patients. There is a very significant reduction in numbers necessary after July 1, producing long delays. However, he says neither this document nor the delays apply to patients who are from out of province or who are covered under the Workers' Compensation Board.

I would like to know if the minister agrees with this kind of planning, as she is wont to talk about the need for planning. Is she suggesting that Mr. Payzant perhaps twin with somebody from



Manitoba or Quebec who needs a replacement? The person can come to Ontario, because there is no problem there, and maybe Mr. Payzant can go to Manitoba or Quebec. Would that make a logical suggestion as to how he might get it done before he dies?

**Hon. Mrs. Caplan:** The letter that the member is referring to is one from the Orthopaedic and Arthritic Hospital, which clearly has the longest waiting list in this province, some 28 months. We are looking at the present time to see how we can best direct patients to hospitals with shorter waiting lists, because we know that they vary from some two weeks to that 28 months. We have to ask ourselves how this situation came about, and at the present time, we are looking at some of the factors that may have contributed to that very long waiting list.

**Mr. Harris:** I think the way it came about is fairly obvious: three years of chaotic planning by this government. That is what the problem is.

Since the minister always talks about good planning, let me give her a suggestion. I think the problem is very simple to solve. Would it not make sense for the Ministry of Health to provide the artificial joints to whatever hospital needs them? The reason the waiting list there is so long is, first, that hospital is so good, so her suggestion to go somewhere else that may not be as good really does not make much sense to me.

Second, they have been cut back because the hospital in its budget cannot afford the artificial joints. The doctor has time. The waiting room has time. The minister should not shake her head no. That is the reason. They cannot afford the \$2,000 for the artificial hip.

**The Deputy Speaker:** Question?

**Mr. Harris:** Would it not make sense for the ministry to provide the artificial hips, available to all hospitals, and let them carry on and do the operations as the doctors and the hospitals have time?

**Hon. Mrs. Caplan:** We know that one of the difficulties is that individual hospitals maintain their own lists. While there is broad expertise across the province, there is not the kind of referral that would allow this to be done. One of the things in this particular hospital that we know is the cause of this is that an unapproved program by another hospital—renting space in this hospital—created at one point a surplus revenue. When that unapproved program was stopped, it was the decrease in the revenue that created the problem for this hospital.

To me, very clearly that is an issue of planning. Unless we have the kind of system where we plan, through the district health councils and through approval by the ministry, in advance of expansion of programs, we will see the longest waiting list occur where we have had poor planning.

**The Deputy Speaker:** Thank you. Does the Leader of the Opposition want to ask his question now?

## SOCIAL ASSISTANCE

**Mr. B. Rae:** I met at lunchtime, as did some other members from my caucus, with a group of people who have marched all the way from Hamilton to see the Premier and to ask him to raise the rates for social assistance by some 25 per cent. I wonder if the Premier can tell us why, so far, he has declined to meet these people, many of whom have walked for several days in order to come here to meet him.

**Hon. Mr. Peterson:** My understanding is that the minister met with the group this morning.

**Mr. B. Rae:** That was not the question. They wanted to meet with the Premier; they did not want to meet with the minister. They wanted a chance to meet with the Premier at first hand.

Perhaps by way of supplementary I could ask the Premier this: Studies that have been done for the Thomson inquiry clearly and categorically show, on an irrefutable basis, that the level of benefits paid out to people who are either on general welfare assistance or family benefits, in real terms, has declined by as much as 30 per cent since the late 1970s, in the last 10 years.

Given that evidence, which is now before the government and before the province, I wonder if the Premier can tell us, does he not think it would be worth while for this province to raise rates by the 25 per cent being asked for by those people who have marched in from Hamilton? Does he not think that would be fair and that it would not preclude any other changes that Mr. Thomson might be recommending in the next few days?

**Hon. Mr. Peterson:** I certainly understand the plight of a number of the people whom the honourable member is talking about, as does the minister. I am sure the minister has given him in the past and will do so again in the future the amount of increase in the social services budget over the last three years.

That being said, I am the last to argue that is enough, because there are real and legitimate cases of need, as we all recognize. That is why we asked Judge Thomson to look into the situation. We expect that report in the not-too-



distant future, as he is looking fundamentally at a number of the questions the honourable member raises.

I am not in a position to respond to his request today, but we will look at the entire matter in the context of the Thomson inquiry.

**Mr. B. Rae:** That could take for ever. The people who met with us today said they did not want task forces and they did not want another committee; they wanted a response from the government on the substance of their claim. When it comes to choosing between meeting with the Premier and meeting with the minister, what they said is they did not want to meet the chopping block, they wanted to meet the butcher. That was the way it was put to us.

I would like to ask the Premier a simple question. The budget set down by the Treasurer (Mr. R. F. Nixon) calls for a further \$500-million cut in government expenditures across the board and has no money specifically set aside for the Ministry of Community and Social Services in relation to an increase in social assistance. If the government is sincere about wanting to do anything about the Thomson inquiry, can the Premier tell us why no money was set aside in the budget specifically to introduce changes in our social assistance plans in this province?

**Hon. Mr. Peterson:** As in all matters, they ultimately end up as budgetary matters and there is some flexibility, as my honourable friend knows. We are awaiting the Thomson report, and cabinet will make a decision on how to respond to that at the appropriate time.

We expect that, and the minister could help me out, in the not-too-distant future, the fall perhaps, so it is not a question of waiting for ever. I am sure my honourable friend would want the government to make a well-thought-out response in the broad context, rather than just responding because there is a demonstration here today.

#### PUBLIC LIBRARIES

**Mrs. Stoner:** My question is to the Minister of Culture and Communications.

There is a recent federal government report entitled *Communications for the Twenty-first Century: Media and Messages in the Information Age*, which estimates that the world's stock of information is doubling every two years. Because our public libraries in Ontario play a key role in providing information to communities throughout Ontario, how is the ministry assisting the libraries in coping with this information explosion?

1430

**Hon. Ms. Oddie Munro:** Approximately three years ago, we introduced, starting in Hamilton and now ending in Guelph, a telecommunications system which is called the Ontario public libraries information network. That system is essentially an interlibrary loan information system which links up all libraries and gives a good database on existing titles. I think right now we are aiming for about 500,000 titles and have even got into lending arrangements with libraries in the United States and some libraries in Japan, as we take a look at economic management. That particular system is now set up and ready to go.

**Mrs. Stoner:** In addition to the information volume, we are also dealing with a very rapidly changing technology. How is the ministry going to ensure that this network keeps pace with the hardware and software?

**Hon. Ms. Oddie Munro:** I think it is normal procedure in the ministry, once it has introduced a significant system change like OPLIN, to also do some pilot work on links that need to take place. We have now provided money for an automatic technology linkage to that existing network. The purpose of that particular amount of money is to take a look at new technologies. The technologies are not only in the form of, for example, printed database; we will also be taking a look at the technologies that exist in audiovisual, cassette, large print, a whole host of things that are so important, especially in our isolated libraries right across Ontario.

#### TRADE WITH UNITED STATES

**Mr. Mackenzie:** I have a question for the Premier.

During the election campaign he clearly and forcefully promised the people of Ontario that there would be no free trade deal if it weakened the auto pact, threatened Canada's cultural identity, removed safeguards from agriculture, permitted unrestricted foreign investment, prevented reduction of regional economic disparities and did not include a binding dispute settlement mechanism. On election night, the Premier said the citizens of Ontario had endorsed his six bottom-line conditions.

Since none of the bottom-line conditions has been met and the Attorney General (Mr. Scott) now says a constitutional challenge is probably impossible, what is the Premier of Ontario going to do to prevent this sellout of Canada from taking place?

**Hon. Mr. Peterson:** The member is absolutely right. We put forward our position and we do



not support the trade deal for those reasons and a variety of others. As the Attorney General has shared with us, he is reviewing all the options at the present time with respect to the legal powers inherent thereunder, and we will share those views with the member when the final decisions have been made.

**Mr. Mackenzie:** Is it not a fact that it never was the Premier's intention to take any forceful actions—as New Democrats and others have suggested to him, giving some examples as well in this House—to prevent this sellout, that he is just about ready to be back on side with the corporate interests that want this agreement in Canada, and that in fact what he has done is lied and deceived the people of Ontario to gain election votes?

**Hon. Mr. Peterson:** The answer is no.

### SOCIAL ASSISTANCE

**Mrs. Cunningham:** My question is to the Minister of Community and Social Services.

On July 7, 1986, referring to social assistance, the minister promised to forge a system which can face the challenge of the 1990s and beyond. He has consulted with the municipalities and workers in the process as promised, and those same partners involving municipalities are anxiously awaiting the results of this long process that started as long ago as 18 months. In fact, the clients of that process, those involved in the march against poverty, including the London Union of Unemployed Workers, are in front of us today at Queen's Park.

The statement was made in July 1986. The report was originally due in 1987, then later in 1987, and now it is delayed until the fall of 1988. Many of us are trying to be professional about this. Does it really take four months for a written report to be put in a format that the public, the professionals and the people in need can understand and that the minister can work with?

**Hon. Mr. Sweeney:** The honourable member will be well aware of the fact that the anticipated time to complete this review and the report has been expanded considerably, primarily because of the reaction to the opportunity to have some input into the whole program. The member might be aware of the fact that 1,500 briefs were received by the committee, where in the initial stages the committee itself indicated it expected maybe 300 or 400. Therefore, there has been good reason for the length of time.

As a matter of fact, where one day had been set aside for public input in a number of the major urban areas across the province, the committee

was asked to come back for three, four and in some cases five days in order to allow the local groups the opportunity to make their input. Given the scope of it, that was accepted and it has taken longer.

The report is now completely written by the committee and by Judge Thomson with the exception of the executive summary. My understanding is the report runs to something like about 600 to 700 pages. Because it was written by a number of groups, it needs to be edited so the language flows rather easily. It is designed primarily for public consumption, not for professional consumption. It has to be edited. It has to be translated. We made a commitment in this government to translate those kinds of reports. It has to be printed and bound. I have indicated very clearly that the moment the report is delivered to me personally, I will make it a public document.

The information available to me at the present time is that it will be available either in late August or in early September. I will release it as soon as I get it, but I have not imposed any time restraint on the committee itself in order to make its determinations and deliver the report.

**Mrs. Cunningham:** I really think a time frame should have been imposed and I think four months is too long. The minister stated that this report is not for the professionals, but for the public. I would suggest they have to work together to make things happen. The London city council is on record, very recently, as demanding that the minister complete the report immediately. There are a lot of people waiting. Professionals in the field know what can be done immediately and we know what that framework is. Not much seems to be happening with regard to workplace day care and sometimes transportation needs.

My question to the minister is, after waiting for two years, are we going to receive a report that will contain dreams and promises or will it contain solid recommendations that he is prepared, at that point, to implement immediately?

**Hon. Mr. Sweeney:** I remind the honourable member, with her reference to day care, that when we formed the current government the total budget for day care in Ontario was in the neighbourhood of \$88 million. This year it will be \$288 million.

I also point out to the honourable member that when we asked Judge Thomson and his committee to accept the responsibility to do this review, we asked that he come up with a report and recommendations that were doable, that could be implemented. I do not know what the content of



the report is. I have deliberately asked not to be advised until I can make it public.

However, I understand Judge Thomson and the committee will come in with a report that has three different time frames: one where recommendations can be implemented almost immediately; those that—

**Mr. B. Rae:** Either you've seen the report or you haven't. Come on, you can't do—

**The Deputy Speaker:** Order.

**Hon. Mr. Sweeney:** I have not seen the report.

**Mr. B. Rae:** How do you know what's in the report? You either know what's in it or you don't. Don't talk about the time frames as if you don't know.

**Hon. Mr. Sweeney:** I have not seen the report.

The report will also contain some changes that will require federal-provincial agreement. That will take a little longer.

Interjections.

**The Deputy Speaker:** Order, please. You are just wasting your own time.

1440

## RETIREMENT COMMUNITIES

**Mr. Owen:** I have a question for the Minister of Housing.

In my area, I have received quite a large number of complaints from people who are residing in retirement communities. They tell me they are being charged maintenance and operating expenses that are accelerating greatly. They tell me the owner of the retirement community can set almost whatever he wants for expenses. They tell me they have asked for verification of how these amounts are arrived at and get no satisfactory answers. Some of these people are telling me that this year alone they have faced 40 per cent increases in their operating expenses, for which they have no explanation.

My question to the minister is, is there any way to control the problems these people are facing in these retirement communities across the province, and in my own riding, under the current system of rent review?

**Hon. Ms. Hošek:** For anyone in this situation, there is protection provided through the rent review process. Any rent increases that are above the guideline, which is 4.7 per cent, are in fact subject to rent review. Under those circumstances, the landlord would be required to reveal the sources of his figures, including the sources

of the operating costs the member is describing today.

I understand that the members of the community he is talking about have already talked with rent review officers about this. If there are any increases above the 4.7 per cent, then the landlord will be required to reveal the sources of those operating costs in order for a determination to be made.

**Mr. Owen:** Will there be any way in which the answers the landlord is supposedly giving can be audited? The people tell me they have had situations where directors' fees have been charged at \$100,000 or charges have been made for gasoline for vehicles that would mean the vehicles would have had to be operated 24 hours a day, seven days a week. Is there any way in which the owners of these places could be forced to give the figures and have them audited so the people in these communities can be properly satisfied?

**Hon. Ms. Hošek:** The arrangements about disclosure are actually supposed to be part of the contract in the lease between the landlord and the community if the number that results is under the guideline of 4.7 per cent. If it is over that guideline, then indeed the rent review legislation does require the landlords to demonstrate, and we have the access and ability to audit the numbers they give us about increases that are above that.

## HOUSING SUPPLY

**Mr. Breaugh:** I have a question for the Minister of Housing.

Barbara Van Gorder is a single-parent mother with one child. She is now living in an apartment in North York. She has lived at the same address for 10 years. What advice would the minister give to her? She faces a rent increase at that apartment of 48 per cent over the next two years. She is on a list that has grown from 21,000 families waiting for assisted housing to now over 33,000 families waiting for assisted housing. She lives in a municipality where the vacancy rate is 0.2 per cent.

What is the minister's advice to her? The advice she gets from those who are in charge of assisted housing is that she merely faces financial hardship, that she is not homeless and is not a victim of violent abuse. What is the minister's advice for her?

**Hon. Ms. Hošek:** It is because of the kind of story the member tells, the fact that there are many people in this city and this province who are facing the kind of difficulty he describes of



not being able to afford the housing in which they live, that our government has made the commitment to make sure that there is going to be much more housing for people to choose from, a greater variety of housing and more housing choices for the people of this province. That is the reason we have \$2 billion to be put into the nonprofit program, to make sure there is housing for families, for elderly people and for single people all over the province.

I understand that is not the fastest comfort to someone facing this situation right now. But it is because of my awareness of the problem the member describes that we have made the commitment we have made and are putting the resources we are putting into this process. We are working with municipalities to increase the options for people all over the province to make sure there are more choices for people all over the province who face difficulties in affording the housing they are in.

**Mr. Breagh:** I do not think Barbara is going to appreciate the answer as being much comfort to her. How does the minister explain, then, that in the three years her party has formed the government in Ontario, the waiting lists for assisted housing have gone from 21,858 families to 33,588 families? Even the vacancy rate in Toronto has gone from 0.6 per cent, which is not very good, to 0.2 per cent, which is even worse.

How does the minister explain that to her and how does the minister abide by a system of allocating assisted housing which says to this woman and her daughter that because they face only financial hardship—they are not on the street and she has not been beaten up lately—she does not qualify for some kind of assistance? How does the minister explain that to her?

**Hon. Ms. Hošek:** One of the things this government did that I am extremely proud of is increase eligibility for assistance with housing to single people as well as to families.

I think it is extremely important that people have access to housing but I am not going to pretend that all the housing we need in order to help people is already here. What we are doing is more than any government in this province has ever done. We are working enormously hard with all our resources of money, of time, of land and of co-operation with the various levels of government that are going to make this happen.

I understand that there are people who face severe hardship. It is because of my understanding of those people and what it must be like to face that hardship that I am working as hard as I am and that this government is so committed to

making sure that people have places to live that they can afford to live in.

### REAL ESTATE CLOSINGS

**Mr. Cousens:** The Minister of Housing sure has not solved the problem of the lady who asked the question.

I have a question of the Attorney General.

**Mr. Breagh:** On a point of personal privilege, Mr. Speaker: That was no lady. That was me. I ain't no lady. I ain't even no gentleman.

**Mr. Cousens:** I stand corrected.

My question is to the Attorney General. The Metro Toronto sheriff is just having an impossible time keeping up with the deluge that is coming especially at this time, one of the busiest times of the year, for house closings. Last week, because of the cutbacks in his budget, it would appear he was not able to bring in overtime staff to assist him with the deluge that comes in at this time of the year. He put a sign up in his office saying, "The Toronto sheriff will not guarantee same-day service any more."

Now, at the busiest time, there is no doubt that today and tomorrow lawyers will be lining up. They will be trying to get searches done. They will be trying to get everything in place for those who are closing deals. I would hate to see people lose their deals because of the problems that are being brought on by the Attorney General's budget cuts that are coming down through the system. Has the Attorney General added any overtime staff so there will be same-day services for the people who are looking for them?

**Hon. Mr. Scott:** The Minister of Consumer and Commercial Relations (Mr. Wrye) is responsible for the registry office and the land titles office in our system, but assuming the member is referring to the possibility that the sheriff may be asked to search executions before a deal can close, the reality is that we are providing that service.

Executions can be searched, as the honourable member being a member of the cloth would not of course know, and are often conducted some weeks before the actual closing takes place, and then simply updated. I believe those updates can occur in a reasonably prompt way. It is true, of course, that the end of the month is the favourite time for the closing of transactions. I must frankly tell the honourable member that we will not be able to staff our office on a monthly basis simply to meet a peak demand that occurs one day a month.

**Mr. Cousens:** No. I appreciate the spirit of the answer. One of the problems we have is to get



answers to very difficult and detailed problems. There would be nothing worse than for someone who has a house purchase to close on June 1, and because of delays in the sheriff's office, not to be able to get the deal closed in time. Now all they are allowed to have is one day in which to complete that transaction.

The Ontario Law Reform Commission has recommended that the writ-of-execution period be extended to 10 days. The Attorney General we have here now brought in a bill last April—it has been on the records of the House for over a year—that would extend it to 10 days. It is now Bill 6 in Orders and Notices in this House.

1450

On the one hand, the government is squeezing the sheriffs' offices so they are not allowed to bring in the staff they need to handle the large number of transactions, and on the other hand, the Attorney General has legislation that he could be bringing to this House to solve the problem, giving a 10-day period in which these executions could be done. Does the Attorney General have any plans to help solve this problem?

**Hon. Mr. Scott:** The honourable member's question, which comes from a close reading of the *Toronto Star*, reveals that he has not read the entire article. What we are doing in responding to peak periods, to which I referred the honourable member, particularly at the month-end, is using overtime, but in a period of constraint, overtime cannot be a regular feature of our administration.

**Mr. Breaugh:** Period of what?

**Mr. B. Rae:** Restraint? What restraint?

**Hon. Mr. Scott:** Certainly in the Ministry of the Attorney General we are exhibiting constraint every day. I recommend it. I recommend constraint—restraint—restraint or constraint to the research budget of the New Democratic Party. I want to encourage the honourable member who asked the question, who exercises restraint and constraint by not relying on his research budget and reading the newspapers. That is what all this is about.

I want the honourable member to know that I understand his point. The sheriff's office is trying to respond at these peak periods that occur once a month by using staff on an overtime basis. I will keep it closely monitored and will advise the honourable member from time to time.

#### RENT REGULATION

**Mr. Farnan:** I have a question to the Minister of Housing. The tenants at 55 Woolley Street, Cambridge, had a rent review decision handed

down on January 14, 1988. The decision did not state a deadline as to when the tenants must be given their rebates. A deadline is only an option given to rent review administrators under section 3.18 of the Rent Review Operating Guide. The landlord has refused to pay the tenants the rebate money for more than four months, and the tenants are left with lengthy court proceedings as their only means of collecting their rebates.

What action will the minister take to help the tenants at 55 Woolley Street to ensure that these tenant families quickly receive their rent rebates?

**Hon. Ms. Hošek:** I do not have the information on that specific case, but of course I will be very glad to work with them to make sure that they get their rebates as quickly as possible.

**Mr. Farnan:** Will the Minister of Housing give this House a firm pledge that she will change section 3.18 of the Rent Review Operating Guide, which deals with the enforcement of ministry orders, so that all rent rebate orders must set a specific time frame in which landlords must either pay the rebate to the tenants or the tenants can deduct the rebated amount from the current rent paid?

**Hon. Ms. Hošek:** I am prepared to look at it and I take it seriously.

#### HOSPITAL SERVICES

**Mr. Harris:** I wonder if I could ask the Minister of Health one more time, since she is responsible for planning and responsible for approving the way hospitals fund their money, if she thinks it is fair that the only reason a man living in North Bay, Ontario, the richest province in Canada, cannot get his hip replaced this year is because he indeed lives and has paid his taxes for 65 years in Ontario. Does the minister think it is fair that somebody from any one of the other nine provinces, which most would argue are not as rich as Ontario, can come in to the best orthopaedic hospital, the best orthopaedic surgeon in Canada, and get an operation without waiting, whereas if you live in Ontario you have to wait? Is that fair?

**Hon. Mrs. Caplan:** I think it is important to note that just a few blocks away from the Orthopaedic and Arthritic Hospital, in a very fine hospital with very fine surgeons, the waiting period is some two weeks following a consultation.

It seems to me that when we know waiting lists are not something new in Ontario, nor are they new in Canada, nor worldwide, we have a situation here where we have a waiting list that goes from two weeks on one hand to 28 months



on the other. We have very fine surgeons right across this province. What we are attempting to do, as we address this in the short term, is to make sure that we do not have the independent ad hockery which the member's previous government was noted for, so that we can solve this problem once and for all by working with the hospitals and planning appropriately.

**Mr. Harris:** I do not understand how her planning solves things when each month she plans, the problem gets worse. It has done that for over 36 months now. Obviously, there is something wrong with the planning. I would ask her again if she thinks, as she approves the plans of the hospitals, that it is fair that a hospital will do hip replacements for people outside of province and yet the only reason a patient like Bill Payzant is being rejected is because he lives in Ontario. Why is it that nine other provinces can afford to pay for the hip replacements at a hospital here in Ontario when Ontario cannot afford it?

**Hon. Mrs. Caplan:** This really does relate to the question that was asked last week about a patient in Ontario, where the procedure was not available in Ontario and she was directed and the Ontario health insurance plan paid to make sure she received that treatment outside Ontario.

We have many patients who come to Ontario for numerous treatments. We are part of not only an interprovincial but an international network. I am very proud of the fact that people come here for needed care when those services are not available in their own jurisdictions. That is part of how this works.

What we are attempting to do is make sure that we have services available for the residents of Ontario as close to home as possible and on a planned and well-managed basis so that they do not have waiting lists which are in some cases two weeks and in other cases 28 months. Clearly, that is unacceptable. We are moving to correct the bad planning of the past to make sure that in the future we manage our resources efficiently and effectively.

#### TABLING OF INFORMATION

**Mr. Cousens:** On a point of order, Mr. Speaker: I would like to ask you to look at the Orders and Notices of this assembly. Four questions were placed by me to the Ministry of Housing on February 9, 1988. That is 108 days ago. We still do not have an answer from the Minister of Housing (Ms. Hošek). We do not get answers in the House in question period, and we have no answer to those questions.

**Mr. Wildman:** What is the rule?

**Mr. Cousens:** It is 14 days. I just ask the honourable Speaker, who has done an excellent job today, to somehow get the Minister of Housing (Ms. Hošek) to come through and answer those questions.

#### HOSPITAL SERVICES

**Mr. Eves:** I would like to rise to correct the record of a statement I made in the Legislature last Thursday, whereby I believe I said, and I do not have Hansard in front of me, that the Ministry of Health refused the \$20,000 that McMaster University was seeking for some safety equipment with respect to its laser surgery. What I should have said is that the ministry, by its policy, has in effect forced the hospital to forego this safety equipment. I did subsequently learn that the hospital has not made a formal request for that \$20,000 worth of equipment, although Dr. Stopps had requested the same from the medical advisory committee of the hospital, and the medical advisory committee of the hospital had indicated to him that they did not see how they could ask for \$20,000 when the Ministry of Health was asking them to eliminate their deficit of \$900,000 for last year.

#### PETITIONS

##### DRINKING AND DRIVING

**Mr. Adams:** I have a petition from a group which calls itself Peterborough Against Impaired Driving or PAID. It is addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are a group of citizens who are greatly concerned with the incidence of drinking and driving on provincial highways. We are working to lower this incidence.

"We urge the government of Ontario to do all it can to assist us and others like us in our important volunteer work.

"We urge that you, Your Honour, and members of the Legislature take note of the week of June 12 to 18, inclusive, which is officially designated Peterborough Against Impaired Driving Week."

1500

##### RETAIL STORE HOURS

**Mr. Wildman:** I think this one is in order.

"To the honourable, the Lieutenant Governor and the Legislative Assembly of Ontario:



We beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to the municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

**Mr. Black:** All done.

**Mr. Wildman:** With respect, the government has not implemented the last part of that.

**The Deputy Speaker:** Just read the petition.

**Mr. Wildman:** This is signed by approximately 30 residents of Ontario. Also, I have similar petitions from three others stating that they are against Sunday openings and believe that the issue should be resolved by the government, not the municipalities. I have signed the petitions.

#### ABORTION

**Mr. Jackson:** "To the Honourable the Lieutenant Governor and the Legislative Assembly of the province of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We ask the Legislature to consider the views of 38 students from Assumption Secondary School in Burlington, who have written letters which read in part as follows:

"The Supreme Court of Canada has struck down Canada's abortion law, leaving Canadian pre-born children without legal protection.

"However, the court also ruled that parliament does have the right to pass laws protecting the lives of unborn children;

"I respectfully request that you accept your responsibility and quickly enact effective laws to protect the unborn from the moment of conception;

"Any weak, compromising Legislature which fails to protect the unborn at all stages is unacceptable."

That has my signature as well, on behalf of the 38 students at Assumption school.

#### RETAIL STORE HOURS

**Mr. Owen:** I have a petition here addressed:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:"

It indicates that these people, 1,266 in all, are opposed to open Sunday shopping and want to

retain a common pause day in Ontario, and it is submitted under my signature.

**Ms. Bryden:** I have a petition with 40 signatures of residents of Toronto, many of them from my own riding. It is on the subject of Sunday shopping.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the stated intention of the Liberal government of Ontario to change the legislation governing the conduct of business on Sundays; and

"Whereas a very broad array of trade unions, religious organizations, small and large retailers, groups concerned about the quality of life in Ontario, families and individuals have publicly indicated their opposition to the government's intentions, on the basis that it will lead precisely to wide-open Sunday shopping, thereby harming working families and working people; and

"Whereas the government's stated intentions can only increase existing pressures on working people and working families and result in less fairness for them, by reducing their ability to spend time together;

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

I support this resolution and have signed it myself, and I am honoured to present it to the Legislature.

#### TAX INCREASES

**Mr. Eves:** I have a petition signed by 1,000 irate taxpayers in Ontario, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."

#### RETAIL STORE HOURS

**Mr. Farnan:** I have a petition from Maranatha Christian Reformed Church in Cambridge. It relates to Sunday Shopping. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We, the undersigned, urge the Ontario Legislature not to pass legislation that would pass responsibility for regulating Sunday and holiday retail hours to the municipalities in Ontario. Rather, the Ontario government should revise its current legislation in order to uphold more strongly a common pause day across the province. We believe that a common day for family and worship activities is essential to the wellbeing of Ontario."

The petition is signed by 62 members of the Maranatha Christian Reformed Church. I have added my name to the petition and support it.

### INTRODUCTION OF BILL

#### GUN REPLICA SALE PROHIBITION ACT

Mr. Farnan moved first reading of Bill 145, An Act to prohibit the Sale of Gun Replicas.

Motion agreed to.

**Mr. Farnan:** The purpose of the bill is to prohibit the sale of replicas of guns that might reasonably be mistaken for real guns in the commission of a crime. This is in response to a tragic incident that occurred in the neighbouring community of Brantford last October, where a local man was shot dead by police after he pointed a replica handgun at them.

Another incident in Cambridge led me to—

**The Deputy Speaker:** Just a very brief statement, please, to explain.

**Mr. Farnan:** I think I have probably done that, Mr. Speaker.

**The Deputy Speaker:** You have. Yes. Thank you very much.

**Mr. Farnan:** OK.

**The Deputy Speaker:** We have further chances to debate later on.

### ORDERS OF THE DAY

#### PUBLIC TRANSPORTATION AND HIGHWAY IMPROVEMENT AMENDMENT ACT

Hon. Mr. Fulton moved third reading of Bill 98, An Act to amend the Public Transportation and Highway Improvement Act.

**Hon. Mr. Fulton:** I do not have any comments to make at this time.

**Mr. McCague:** When we had a discussion on this bill the other day, the minister assured this House it was not his intention to exercise the powers that are given to him under subsection

6(2) of this bill, and that is the power to prohibit the sale of farm produce on King's highways.

I accept that the minister says it was not his intention to interfere with any of those. However, I think civil servants reading this section of the bill might well want to exercise that or might feel it in their bones to stop somebody selling in what is presently a legitimate setting as far as the grandfathering would be concerned.

1510

I would like to have the minister repeat today that it is not his intention to have either him or his staff prohibit the sale of farm produce, especially if it has been historically sold from that point along King's highway. Maybe the minister would just give us a little further assurance today, before we proceed with this bill.

**Hon. Mr. Fulton:** I said to the member last week that it is not our intention. On only two or three occasions in the past three years have matters of this kind been brought to our attention, and in each case they were resolved.

**The Deputy Speaker:** The minister does not usually respond until the end. This is questions and comments. Are there any questions or comments on the member's statement? Do any more members want to debate? Nobody else wants to debate. In that case, the minister's response.

**Hon. Mr. Fulton:** I think I really have responded, perhaps prematurely. As I indicated, there is no intention to run these fruit stands, etc., out of business. There have been two or three occasions over the years where in the interests of public safety some negotiated settlement had to be reached. That is all we are attempting to do. We simply do not want people establishing any kind of roadside stand that would in any way impede public safety, or indeed their own safety. I again offer the member that assurance.

Motion agreed to.

House in committee of the whole.

#### EDUCATION STATUTE LAW AMENDMENT ACT

Consideration of Bill 125, An Act to amend the Education Act and certain other Acts related to Education.

**The Deputy Chairman:** Any comments, questions or amendments, and if so, to which sections?

**Hon. Mr. Ward:** I move that section 41 of the bill be amended by adding thereto the following subsection—



**The Deputy Chairman:** One moment, please. I am just asking if there are any other sections.

**Hon. Mr. Ward:** I am sorry. I have an amendment to subsection 41(5).

**The Deputy Chairman:** Are there any other comments, questions or amendments, and if so, to which sections?

**Mr. Jackson:** Can we have the complete amendment read for the record?

**The Deputy Chairman:** When we get to that part of it, we will. I am just asking if there are any other sections to be amended besides subsection 41(5)?

**Mr. Jackson:** I have an amendment to section 24 and also an amendment to the government amendment in section 41.

**The Deputy Chairman:** Then sections 24 and 41 are to be commented upon for amendment. Are there any other sections on which an honourable member would like to make a comment or ask a question or amend?

Sections 1 to 23, inclusive, agreed to.

Section 24:

**The Deputy Chairman:** I believe the member for Burlington South wishes to comment or has an amendment with respect to the section.

**Mr. Jackson** moves that the table to rule 4 of subsection 206a(7) be amended by striking out:

"483,000 or more persons—21"

in the 20th line and inserting in lieu thereof,

"483,000 or more, up to and including 582,999 persons—21

"583,000 or more persons—22."

**Mr. Jackson:** Since the government has requested that this bill be reopened and brought back into committee of the whole House, we felt one section of this bill in particular was not given the proper hearing it deserved.

Specifically, the amendment I am tabling is building upon the amendment the member for Scarborough West (Mr. R. F. Johnston) presented in committee. It specifically addresses increasing the number of trustees who would be lost by the Metropolitan Separate School Board. As has been widely documented, the board would have lost three trustees under the government's original bill. Because of the member for Scarborough West, the formula was adjusted in the table, which increased by one additional and meant their net loss would be two.

The purpose of this amendment would be to further narrow that loss to only one trustee, which would allow them greater equity and

opportunity to arrange their boundaries in a more responsible manner. It is well documented that Metro separate trustees will be required to represent some 6,000 to 8,000 more electors than their public school counterparts.

Given the specific climate in Metro Toronto under the recently completed Bill 30 accommodation negotiations, it is apparent that a more equitable treatment could be achieved by this amendment if it were approved by all members of the House. It is a glaring inequity. It is disproportionate. Therefore, we ask that all members of the House support the amendment.

**The Deputy Chairman:** Just for my own clarification, if I might, it says 206a(7). I am looking at it and it seems that what you are changing is in—

**Mr. Jackson:** Subsection 5.

**The Deputy Chairman:** Subsection 6, subsection 5 or subsection 4. I am not sure just exactly—is it at the top of page 8? Do you see my quandary?

**Mr. Jackson:** Yes. I believe it should be rule 4 which makes reference to "combined separate school board," so it would be subsection 6, rule 4, the table set out there.

**The Deputy Chairman:** At the top of page 8 of the bill? Is that correct?

**Mr. Jackson:** Yes, that is correct.

**The Deputy Chairman:** Perhaps you will just go with me carefully so that I make sure I am not doing it incorrectly. It is section 206a, subsection 6, rule 4. Is that correct?

**Mr. Jackson:** That is correct.

**The Deputy Chairman:** It is the line—I do not count that down to be the 20th line. I am just concerned to make sure we are speaking of the same part. It is where it indicates in the table "483,000 or more persons—21."

**Mr. Jackson:** That is correct.

**The Deputy Chairman:** That is at the top of page 8 of Bill 125. That is not the 20th line down, though.

1520

**Mr. Jackson:** Well, whatever numbered line that is, that would be the line we would like to insert.

**The Deputy Chairman:** That is right. I just want to be sure.

**Mr. Jackson:** That is correct.

**The Deputy Chairman:** I will have to speak to the table with respect to amending what you

have put before me. In the meantime, we will go ahead and have any comments or questions.

You have heard from the member for Burlington South (Mr. Jackson) who has put forward the amendment. Are there any comments or remarks with respect to that?

**Hon. Mr. Ward:** As I see it, the intent of the member's amendment is to maintain the status quo with reference to the representation on the Metropolitan Separate School Board. Members should know that the intent of this legislation from the outset has been to change the method on which trustee representation is based, from one which for many years has been based on assessment or wealth to one based on population.

In his comments, the member made reference to the fact that trustees on the Metropolitan Separate School Board have to represent something in the neighbourhood of 6,000 more ratepayers than would be the case of those trustees on the Toronto Board of Education, but I think it is important that members be aware that the Metro separate board is one that is organized on an upper-tier basis, including all municipalities within Metropolitan Toronto.

By the same token, the public boards in Toronto have a two-tier system by which they too have a Metro board which represents something like 1.5 million ratepayers. So I do not think there is any validity in that argument. In fact, trustees on the Metropolitan Toronto School Board represent more ratepayers than those on MSSB.

We put in place a consistent method for establishing the number of trustees. We have put flexibility into the bill so that each board could add up to two members to its board so there would be some flexibility in terms of making determinations of representation. We believe the table we have in place is fair and equitable.

This matter was given a thorough airing at the standing committee on social development, and an amendment was put forward and accepted. Frankly, this is a rehash of the same issue that was before the committee and the government does not support this amendment.

**The Deputy Chairman:** Does any other member wish to speak with respect to that amendment? If not, may I have just a few more minutes to clarify the exact line and the appropriate rule—it will just be a moment.

Thank you very much. I appreciate the committee's indulgence with respect to this. It is my understanding that Mr. Jackson has moved that the table to rule 4 of subsection 206a(6) be amended. Do I have the agreement of the House

that the amendment will read subsection 206a(6)?

Agreed to.

**The Deputy Chairman:** Is there anyone else who wishes to comment with respect to this particular amendment? Is it the pleasure of the committee that the amendment carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the nays have it.

Motion negatived.

**The Deputy Chairman:** Shall section 24 stand as part of the bill?

Section 24 agreed to.

Sections 25 to 40, inclusive, agreed to.

Section 41:

**The Deputy Chairman:** Hon. Mr. Ward moves that section 41 of the bill be amended by adding thereto the following subsection:

"(5) Notwithstanding subsection (2), where a municipality within the area of jurisdiction of a board was divided into wards on February 1, 1988, the board may, by resolution made on or before August 10, 1988, establish the wards as electoral areas for the purposes of the election of members of the board in the regular elections to be held in 1988 under the Municipal Elections Act."

**Hon. Mr. Ward:** Just very briefly, this comes about as a result of provisions in the Ottawa-Carleton legislation which permitted the structuring of the municipal boundaries into zones for electoral purposes. Originally, the section was not permissive, did not include the fact that a board may or may not choose to exercise this option.

I should point out to members of the opposition, particularly the critics, that when we originally provided copies of this amendment, the operative date was July 1. Members will recall that in committee we changed that to August 10. The member for Burlington South, I believe, was coming forward with an amendment to that date. I just indicate to him that, prior to arriving here today, we too made the determination that August 10 should be the operative date.

**Mr. D. S. Cooke:** We will be supporting this amendment, but I would like to make a couple of comments about the process that has been used to arrive at Bill 125.

Members will remember that this bill was originally Bill 76, I think, which was announced before the Legislature came into session and then introduced. Trustees across the province were



quite upset with the original form of the bill. There did not need to be much consultation, because we could hear trustees across the province from their boardrooms and from their committee meetings yelling and screaming at the government over the original version of that bill.

Before we got to second reading of that bill, the government decided it would withdraw the bill and reintroduce it under a new name, Bill 125. Then the bill went out to committee for public hearings, amendments were made and it was going to come back for third reading, but instead the government found a further mistake and had to bring in this amendment. Then, we understand, as the minister just said, his original proposed amendment erred in that it had July 1, 1988. Today the government brought in a different version of the amendment, August 10, 1988.

**1530**

I think the minister should be somewhat embarrassed at the process that has been used to arrive at this final form of the bill. It reminds me of some of the pieces of legislation we dealt with under the Ministry of Health. I said then, when we dealt with the Mental Health Act and a couple of other pieces of legislation, when the member for Bruce (Mr. Elston) was the minister and we had about 10 different versions before we finally came up with the final version, and withdrawals of bills and reintroductions of bills, that heads should roll for the way that legislation had been dealt with.

I am pleased to be able to support this amendment, but I hope in the future the minister will be able to get his act together before he introduces a bill, then has to withdraw it, reintroduce it and do all the things he has done with this piece of legislation.

I gather the bill in its final form, after it is approved today, will be somewhat acceptable. Why the proper consultation, examination and drafting were not done long before this is beyond me. I hope the minister is embarrassed; he should be embarrassed.

**Hon. Mr. Ward:** I am always delighted to listen to the interventions of my good friend the member for Windsor-Riverside (Mr. D. S. Cooke), whom I have sat with on many, many occasions in committee.

I would just say that at the time Bill 76 was introduced, we made it clear that further legislation would be necessary because it did not include provisions for Metropolitan Toronto, since that was not part and parcel of the process that was used in the joint committee recommen-

dations that were undertaken by the various trustee associations.

He made some reference to the haste in which this matter is being dealt with. This issue was first raised in 1978 and has been the subject of many studies and many concerns expressed by those who participate at the local level in trustee and school board governance. I can only say it had been my hope and my expectation at the time Bill 76 was introduced that we could move to second reading and that we could move quickly into committee, but other pressing matters made it rather difficult for us to reach that stage within this forum. As a result, over concern at the amount of time that had elapsed, we chose to bring in an amended bill, using much of the written concerns that had been expressed by various trustees and various municipalities throughout this province.

I, for one, firmly believe in the committee system we use here. I do not think for a moment that the member for Windsor-Riverside, or the member for Burlington South, or myself or anyone else here, has a monopoly on good ideas. I think the whole purpose of having public input is always to refine and to improve a piece of legislation.

If the member expects me to be embarrassed by that, I suggest he should be embarrassed if he thinks a process of consultation is only one of giving lipservice rather than trying to improve on what we do here.

**Mr. D. S. Cooke:** I would point out that one of the reasons the government eventually listened to some of these amendments was that we certainly made it clear that if the bill was not more acceptable, the bill simply would not be passed in time for the municipal elections this fall.

In the original form that the bill was introduced to the Legislature, it certainly would have been totally unacceptable. We made it very clear we would not allow that bill to proceed in that form, so we forced, obviously, the minister to listen. If the Liberal government was less arrogant and listened more closely to the people it was consulting with, it would have been able to bring in a bill that was more acceptable in the first place. Thank goodness we have opposition parties, which force this government to listen.

**Mr. Jackson:** I can bring the discussion back to the specific amendment.

**The Deputy Chairman:** That is an excellent idea.

**Mr. Jackson:** Before I do that, I would like to comment about what the member for Windsor-Riverside said about the surprise that this section



41 amendment is still not in the same form in which we were advised on Friday it would be tabled before committee of the whole House. It seems to illustrate very clearly the government's approach in this matter. As the member has expressed some concern about these 11th hour amendments, I can enlighten him that the minister has even approached us about further amendments with respect to French-language minority rights representation and certain personal authorities that the minister might have in order to make those decisions during this first election year.

With regard to the minister's statement that he supports the committee system, I will be pleased then to gain his support to refer Bill 100, which I believe is slated for Wednesday, to the standing committee on social development. Since he is so supportive of the committee system, I look forward to his support in moving that bill on a somewhat related matter to the social development committee. I notice the minister is nodding approval. I appreciate his kind consideration.

To go back to the amendment, we support the amendment. Those of us who were present for the social development committee last Wednesday, heard the concerns of the Ottawa board. This amendment will provide additional flexibility regarding the distribution of trustees within that board.

The amendment to this amendment which I have served notice of has now been covered, now that I understand the minister has included the adjustment to "on or before the 10th day of August." That was an amendment which I placed last Wednesday and it was an amendment I was prepared to table today in the House, since the minister's original motion had indicated the first day of July.

We did this for very clear reasons. The way the government and the mandarins at the Mowat Block have configured trustee representation for this fall's election, the enumeration process will occur rather late this year. The minister was calling upon boards, both in Bill 76 and Bill 125, to make a determination before they had those actual figures and numbers. We are pleased that support was given to my amendment, which moved that date to August 10. We are very hopeful that all school boards in Ontario will have received the results of the enumeration and therefore will be able to make initial decisions based on actual numbers as presented in the enumeration data, instead of the wild-guess system that was proposed in the government's legislation.

We fully support the amendment and we fully support the minister's amendment to his amendment, which we had indicated we would be calling forward today in the House.

**The Deputy Chairman:** Is it the pleasure of the committee that the amendment carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the ayes have it.

Motion agreed to.

Section 41, as amended, agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Conway, the committee of the whole reported one bill with a certain amendment.

1540

## ONTARIO LOAN ACT

Mr. Polsinelli, on behalf of Hon. R. F. Nixon, moved second reading of Bill 117, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund.

**Mr. Polsinelli:** The 1988 Ontario Loan Act will provide the government with the authority to borrow up to \$2.8 billion for provincial purposes. These funds will be used to meet financing requirements, including the repayment of the principal of maturing debt. Although the net cash requirements for 1988-89 are substantially lower than in previous years, borrowing requirements are higher. This is the result of increased debt retirements, a provision for Canada pension plan borrowing on behalf of Ontario Hydro and an increase in liquid reserves.

The primary source of borrowing under this act will be the teachers' superannuation fund. Provision is also made for the government to borrow from the Canada pension plan investment fund or the public capital markets, should that be appropriate. The province is currently issuing Treasury bills and intends to continue tenders at current levels. The act provides that any unused borrowing authority will lapse on September 30, 1989.

**Mr. Harris:** This bill authorizes, I guess, \$2.8 trillion—is that right—or \$2.8 billion? I lose track of these numbers. Is that \$2.8 billion or \$2.8 trillion? How much money is that? There are so many zeros there, I cannot keep track. Whether it is \$2.8 billion or \$2.8 trillion, I wonder if the parliamentary assistant can break down for us a little better why \$2.8 billion is required this year, how much of it is refinances, if any, and how



much of it is new financing and give us a little more detail as to what categories they go into.

**Mr. Laughren:** I thought it appropriate to ask the member for Yorkview (Mr. Polsinelli) a couple of questions, as we are aiding in his apprenticeship program here this afternoon. One is to what extent the \$2.8 gazillion, as the member for Nipissing (Mr. Harris) would call it, the \$2.8 billion, includes the borrowing from the Canada pension plan for housing purposes? If it does include the borrowings for the housing as announced in the budget, why is that not included in the deficit for the province?

**Mr. Polsinelli:** I should point out to the member for Nickel Belt (Mr. Laughren) that this does not include borrowing from the Canada pension plan for housing purposes. I believe the government has decided that the Ontario Housing Corp. would be allowed to borrow directly from the Canada pension plan funds for housing purposes. The 1988 Ontario Loan Act does not include that element of expenditure.

With respect to the member for Nipissing, I would be pleased to break down the \$2.8 billion that is required, and that is a two, with an eight, two zeros and another six zeros following that. It is broken down as follows: The 1988-89 net cash requirements are \$473 million, as pointed out by the Treasurer in his budget; retirements are \$920 million, and members will notice that is substantially more than was retired in previous years; and the increase in liquid reserves is \$282 million. That brings us to a total of \$1,675,000,000.

I have zero seconds to complete the rest, and I would be pleased to do it later.

**Mr. Laughren:** It really is amazing that the Treasury could come forward with this \$2.8-billion borrowing bill, already having announced \$2 billion in borrowing from Canada pensions for housing purposes, and because it has simply moved the pea from under one shell to under another shell, the government does not have to consider it to be part of the provincial deficit. I would ask the member for Yorkview, when he responds, if he would give us in his own inimitable words just how he makes the distinction between borrowing \$2 billion from Canada pensions for housing purposes, which is not considered part of the formal debt structure of the province, whereas this is. I know the member for Yorkview could say, "Well, that's because the borrowing is going to be done directly by the Ontario Housing Corp."

I suppose, now that I am on my feet and thinking—I was not intending to take part in this

debate this afternoon—the member for Yorkview would argue that Ontario Hydro's debt is not considered part of the Ontario debt, the provincial debt, either. We will see if the member for Yorkview can come up with any better rationale than I have given him to work with already.

We know this bill is primarily designed to borrow money from the Canada pension plan and the teachers' superannuation fund, and therein lies the rub. The teachers' superannuation fund is a huge fund. The last time we checked, it had something like \$10 billion in assets, which are expected to rise to, I think, \$15 billion by the end of this decade; so it is a big fund and it is growing.

The government has decided, totally separate from this bill, although it is hard to avoid commenting on it, that teachers are going to have to pay another two per cent into that fund in order to make it viable, despite the fact that it has \$10 billion in assets and is growing rapidly.

All the assets of the teachers' superannuation fund are invested in nonmarketable government of Ontario securities, as I recall. It is not because the teachers want it that way, necessarily. It is because the government has decreed that is the way it is going to be, that the teachers have no say in the way in which the funds are disposed. They have no say in negotiations on their pension plan; they have no say in the structure of the fund itself—absolutely none. Then the government says, "Even though you don't have any say in any aspect of it, even though it is your pension plan, even though it is your money that's funding it, we are going to borrow from it as we see fit and you are going to invest it in our nonmarketable securities."

It really is unfair. Admittedly, the previous government structured the teachers' superannuation fund. Nevertheless, they did it, and this government is continuing that practice, I suppose because it sees it as irresistible to be able to borrow big bucks from the teachers' superannuation fund.

The teachers could make a lot more money if they were not restricted by the legislation that requires them to put their money into nonmarketable government securities, and the rate of return they get is totally set by the government. It has very little to do with market conditions.

#### 1550

Since 1980, the teachers' superannuation fund has never had an annual rate of return in excess of 11 per cent; for the last eight years. As a matter of fact, I will give the member for Yorkview (Mr. Polsinelli) the numbers. Since 1980, it has never had more than an 11 per cent return. Here is what



the top pension fund in each year received. The member for Yorkview might know there is a fund measurement firm called SEI Financial Services that measures the performance of pension funds. It takes a different one each year.

Here is how the top ones rated in the last few years: in 1980, 25.3 per cent return; in 1981, 12.7 per cent; in 1982, 40.3 per cent; in 1983, 24 per cent; in 1984, 15.9 per cent; in 1985, 29.3 per cent; and in 1986, 17.6 per cent. Those were the rates of return the top pension funds received.

While those numbers were out there floating about, all the way up to 40 per cent, the teachers' superannuation fund never got more than 11 per cent, because the government decreed it that way. That is the top fund. To be fair, I am using the top pension fund, but even if I used the average pension funds, they had a 15 per cent return in four out of those seven years I just gave to the member. In only one year did they have a rate of return lower than that of the teachers' superannuation fund.

Here is the government putting the teachers' superannuation fund in a straitjacket, not allowing it to get its maximum return, doing that with one hand and with the other hand forcing the teachers to put another two per cent into the fund, presumably to make it actuarially viable.

I hope the member for Yorkview will respond, because he is borrowing money from that fund. The teachers have no choice whatsoever. I wonder if the member for Yorkview, when he responds, can tell us what he thinks is fair about telling the teachers, first, that they have no say whatsoever over their fund. They cannot even negotiate it. Second, they have no say in the structure of the way the teachers' superannuation fund is set up. Third, they have no say in where their moneys are invested. Their moneys: They pay them in; they come off their salaries. It is already eight per cent and it is going up to 10 per cent of the teachers' earnings, if the government gets its way.

Here the government is, putting all these restriction on how they run their fund—or how they do not run their fund, if you will—and now it is saying, “We are going to borrow from you and we are going to give you a return much lower than you could get if you were out there investing in the marketplace.”

The government really is being extremely unfair to this particular fund. The government obviously sees it as a milch cow, which it is milking for its own purposes. It can argue, “Well, the funds benefit all the people of Ontario,” but why on their backs? Why at their

expense? Why has it picked out the teachers' superannuation fund and said, “That is the one we are going to take and we are going to borrow from”?

It is listed very specifically in the bill. It is not as though it is just one of a number of pension plans. “The purpose of this bill is to provide authority for borrowing moneys from the consolidated revenue fund. The principal borrowings authorized under the Ontario Loan Act in recent years have been from the following sources:

- “1. Canada pension plan
- “2. Teachers' superannuation fund
- “3. The public capital market.”

We all understand the first one, the Canada pension plan. That was the agreement between the provinces and the federal government. Those funds would be made available in proportion to the amount that was raised in each of the provinces.

With respect to the public capital market, everybody understands that you can borrow money on the public capital market.

The only pension plan other than the Canada pension plan is the teachers' superannuation fund. It is the only one that is specifically delineated in the bill. I hope the member for Yorkview will think about that when he responds, because that is a very unusual thing for the government to be doing.

I know the government likes the teachers' superannuation fund. It is one of the major sources of borrowing. It allows the government not to have to borrow on the public market, where it would have to pay more. I understand why the government borrows from the teacher's superannuation fund. It is cheap.

**Mr. Reycraft:** Not so.

**Mr. Laughren:** I am telling the member, it is cheap. And that would be fine. You could say, “That's prudent government, borrowing money at the lowest possible rate.” But I ask the government how it is that it picked out that one particular fund and said, “This is the one we are going to borrow from.” That is exactly what it has done.

**Hon. Mr. Conway:** Somebody's got to look after the Legislative Assembly retirement allowances plan.

**Mr. Laughren:** Yes, that is right, the LARAP. I will not be deterred by interjections from the government House leader.

I am just saying to the member for Yorkview that when he responds, I very much hope he will tell us how he thinks it is fair that this particular fund has been isolated from all other funds for the



purpose of government borrowing, and why he thinks it is fair that this fund is restricted from earning a return that other funds have a right to earn out there in the marketplace, and at the same time tells them they now have to pay an extra two per cent of their earnings into the fund in order to make it viable.

If that fund had been receiving market returns for the last 10 years, who knows? Perhaps there would be no requirement whatsoever for the extra two per cent. I do not know that. I am not an actuary, but I hope the member for Yorkview will take my remarks into consideration when he responds.

**The Deputy Speaker:** Questions and comments?

**Mr. Polsinelli:** I have questions and comments.

**The Deputy Speaker:** The parliamentary assistant usually responds at the end, if I am not mistaken.

**Mr. Polsinelli:** But I can participate in the debate.

**The Deputy Speaker:** OK. Fair enough.

**Mr. Polsinelli:** I figure that rather than saving everything until the end, we have some very intelligent people from the Treasury here, and they sent me a little note: "Government established the Rowan task force," with which the member for Nickel Belt is fairly familiar, "to examine particularly that question. The Rowan recommended that market investments, as the question suggests, would be appropriate. The government has asked David Slater to consult with teachers and affected groups. Teachers' superannuation fund money means it costs about 11.3 per cent, as compared to 10.1 per cent for Canada pension plan."

The bottom line is that rather than borrowing it from the teachers' superannuation fund, we could get it from a cheaper source. So why are we getting it from them in the first place? I do not know. Those are questions we are going to be looking at and we are going to be asking.

In terms of the comments the member made with respect to why CPP borrowing for housing purposes is not a part of the provincial deficit or the provincial debt, he gave the answer himself and I am satisfied with it.

**Hon. Mr. Sweeney:** As one who for a number of years was enrolled in that teachers' fund, I have a slight nodding acquaintance of it. I would like to draw to the honourable member's attention that there are two very distinct funds. There is a basic six per cent paid by teachers for

the regular fund, but there is an additional one per cent on top of that for the indexed portion. It is the indexed portion that is in actuarial difficulty; it is not the basic six per cent.

If they are talking of that two per cent, it is to cover the indexing, not the basic six per cent. As a matter of fact, at the present time, going ahead as all of these funds actuarially must do to the year 2030, I believe it is, the fund would be \$5 billion in deficit under the existing program. The decision was made a number of years ago to fund only the indexing at one per cent. It is now proved that is not sufficient and that is going to have to change.

**Mr. Laughren:** Why not let it get a market return?

**Hon. Mr. Sweeney:** The second point I would make to the member is along that line, that the Treasurer (Mr. R. F. Nixon) is clearly looking at the option of borrowing from other places, because in fact in the last couple of years and several times during the past decade, there were times he could have borrowed outside at a lower rate of interest. He can do that right now.

**1600**

The difficulty, however, that the Treasurer has to be aware of is that the government of Ontario, indirectly the Treasurer, is responsible for the payout of these funds. So while the original plan was designed that the government would match teachers dollar for dollar in terms of input—that is the way it is designed—in fact, as it goes ahead for the next 10 to 15 years, the government of Ontario, and therefore the taxpayers of Ontario, are going to have to pay a higher percentage than the teachers will if we are going to maintain that plan. Therefore, if you are looking at those additional percentages, you are going to have to look, clearly, at the indexing portions, not the basic six per cent.

**Mr. Harris:** I was not going to say anything, but some of the comments have prompted me to refocus my look at the comments the member made, specifically on the teachers' superannuation fund.

The one per cent contribution, as the Minister of Community and Social Services has pointed out, has not been enough to cover the inflation indexing, and the reason for that is really what has to be looked at. The pension plans, if the money is left in the fund and if it adapts to the market, can adapt to high rates of inflation by getting a higher rate of return on the money. The teachers' superannuation fund, on the other hand, cannot because the government locks it in

at whatever the government borrowing rate is. That is one of the primary reasons.

I think the member for Nickel Belt was trying to point out that this is one of the problems the fund has, that the government, first, will not allow any other input into how those funds are used and it does not get a market return on the money, and pension—

**Hon. Mr. Sweeney:** This didn't happen in three years, though.

**Mr. Harris:** No, it did not happen in just three years. I was a teacher as well, and listen, everybody says to me that I have to be responsible for Leslie Frost. Damn it all, I came here to effect some change, and if Leslie Frost set it up and it is wrong today, it is wrong. That is no reason for those guys to sit over there and argue, "We are going to carry on doing it wrong."

It is particularly wrong today, and it is even worse when we see this government keying in on all the borrowing being from the teachers' superannuation fund. They are not going to touch Canada pension plan, which I think they should be doing something about changing but which is a more difficult process.

**The Deputy Speaker:** The member's time is up.

**Mr. Harris:** This is one they are in fact responsible for.

**Mr. Laughren:** I will respond very briefly and quickly to the Minister of Community and Social Services, who talks about the need for the government being responsible, ultimately, for the teachers' superannuation fund. I ask him if he is aware that over the years the government, which has an obligation to match the contributions of the teachers, has never matched that contribution?

**Hon. Mr. Sweeney:** They are responsible for the payout.

**Mr. Laughren:** They are responsible for it, but they have never matched the payments the teachers have put in. All it is is a bookkeeping entry, but they deem to have matched the contributions. Do they really think there would be any problem at all, actuarially, with any part of the fund that the teachers have put actual dollars into their half? There would not even be the slightest problem. They would be awash in money and that money could be used for good social purposes out there as well.

I think the minister is off base when he makes that argument. The government may be responsible for the payout if anything was to go wrong, for example, but at the same time, it is

responsible for matching the contributions the teachers have made and it has never matched those contributions. The teachers have funded their own plan, despite the fact that one half of it is supposed to be funded by the Ontario government. The Ontario government has never done that.

It has been the subject of much anger and frustration within the teaching profession, and yet to this day that is the way it is still funded. Is it any surprise that there needs to be an injection of money if one of the partners in it is not paying its share? I am surprised they have got this far without running into a problem.

**The Deputy Speaker:** Do other members wish to participate in the debate?

**Ms. Bryden:** I am very sorry to see that there has been really no change in government policy since the new government came in, regarding the use of the teachers' superannuation fund in debt management and regarding the fund itself and the terms of it.

I think this gives us an opportunity to ask the Treasurer to look at the whole teachers' superannuation plan as part of the authorization he is asking us to give him, to use that money, because I am sure the Treasurer and every other member in this House has received briefs from the teachers and from the superannuated teachers regarding what they consider the lack of democracy in the plan, the lack of opportunity for the participants to have any say in the terms of the pensions that are given to them or in the reform of any of the terms and regarding how the money is invested.

I think many of the teachers feel that if the money was invested in a more diversified way, there would be greater earnings from it, and then the teachers could point to those earnings as a reason for reforming the plan. The teachers have certainly indicated over the years that it has been needing reform. I have met with superannuated teachers who tell me that people who retired at different dates are getting different treatment under the plan as far as their pensions go. They are simply asking that the treatment be equalized.

I do not know whether the Treasurer has even looked at that problem, but I think we should not vote this authorization for him to use the fund until he or his parliamentary assistant is willing to make a commitment to review the whole teachers' superannuation plan and the way it is administered. I think the minimum part of the commitment should be that teachers themselves and superannuated teachers should be part of the body that decides how the funds are invested.



Second, I think that teachers should have a say in the kind of plan that is in the legislation. It is a fixed purchase plan, so the terms are set by legislation rather than being based on the earnings of the fund. The point is, if the earnings of the fund go up, then it would appear that there is an opportunity for the government to improve the terms of the pension plan and still have money to pay for it, without raising the rates that the teachers are paying and that the government is presumably paying. As my colleague the member for Nickel Belt says, the government has not always paid its matching share, or gets way behind in paying its matching share. If the money had been available for investment, the matching share could have brought in more money if it had been invested outside the government.

I think the member for Nickel Belt is quite right. Both the previous government and the present government consider it nothing more than a cheap borrowing source. They really are not concerned about the teachers who teach throughout the province having better pensions or at least reviewing their pensions to see when they should be raised, by how much and what the terms should be.

Certainly, it took a long time to convince the previous government that they should be indexed. They did bring in the beginning of indexation, but of course they should be fully indexed, as should all pensions. That would give governments an incentive to try to keep the cost of living down and to try to keep inflation rates down. As long as it does not keep inflation rates down, people should not be having to reduce their standard of living when they retire because their pensions buy less and less goods and services.

I really urge the parliamentary assistant, and I hope the Treasurer, to make a commitment that if he is going to be authorized to use this fund for borrowing, by next year he will let us see that he has looked at the plan, studied the briefs that have come in from the teachers and the superannuated teachers and tell us which of the changes they are asking for he is prepared to implement.

Otherwise, I think the teachers are going to conclude that the change of government has meant absolutely nothing to them and that they are very disappointed that they, or that the electorate, did effect a change of government, and produced no improvements for superannuated teachers.

1610

**Mr. Harris:** I would like to say we are opposed to this bill. We do not think this

administration has demonstrated anywhere close to the type of control on spending, to the management of our resources, that is required to bring the borrowing into anything that is close to what this province should be borrowing as the richest province in Canada.

I want to begin by reading a few excerpts from a May 2, 1984, communique by David Peterson, then leader of the official opposition:

"I am today making public an Ontario Liberal research document which reviews for the first time the extent and implications of the Ontario government's borrowing from pension funds.

"This study vividly confirms that we face a crisis of immense proportions, which if left unattended will create severe strains on our provision of pensions and services in the decades ahead."

That is what the Premier (Mr. Peterson) thinks of this bill. That is what the Premier thinks of what this Treasurer is doing obviously.

"Despite claims to the contrary" by the then Premier and then Treasurer, "the problem confronting us is real. If I might borrow an analogy from the report, 'The government has been borrowing and spending the money the pension funds have been saving, not unlike a parent borrowing from his child's piggy bank. The child can really only collect if the parent is willing and able to repay.'"

"At this point in time"—at that time—"there is scant evidence that the Ontario government intends to repay the \$25 billion it has borrowed from the pension funds, or if it is committed to the repayment or how that will be accomplished. This commitment is vital and urgent for two very important reasons.

"By its nature, the crisis is one that looms, but one that will not be felt until it descends upon us. It will not descend upon us until the wave of what has become known as the 'baby boom' approaches retirement. By then it will be too late to act.

"Second, the irresponsible borrowing practices of the current administration threaten our ability to provide fundamental social services to the people of Ontario in coming years."

I am opposed to this bill for what the then Leader of the Opposition said were irresponsible borrowing practices. He said:

"This is not just an economic issue. It is a social issue, one which could carry profound consequences for the human relationship between children, parents and grandparents in the decades ahead. We have allowed this government to mortgage the future to such an extent that our capacity to continue providing universal



access to high quality health care and education is in peril." In the last couple of years, we have started to see that come to fruition already.

"This at a time when our ageing population will place greater demands on the health care system and our young people will need first-class training to compete in a highly technological world. We must recognize this crisis of the future and we must prevent it from happening."

"David Peterson, May 2, 1984."

That is the press release that accompanied this research document done by the Liberal Party of Ontario in May 1984.

I want to take a couple of sections of that report and read them into the record as well.

"An open-market investor can sell his bonds. The teachers cannot sell theirs. An open-market investor can wait for his bonds to mature, then refuse to reinvest in a new issue. The civil servants have no assurance that they will be allowed to do this. Their funds are managed by the person they are lending to, the Treasurer of Ontario." So the then Leader of the Opposition, the member for London Centre (Mr. Peterson), would be opposed to this bill. "Ultimately, it comes down to how good or bad are Ontario's borrowing practices and whether the funds invested in the government of Ontario will ever be allowed out of the Treasurer's coffers."

The member for London Centre's research document states here some of the unwanted consequences of what he is perpetrating upon the Legislature today.

"If the province continues its current policies, it will produce a disaster of one form or another. As old debts mature and five per cent coupons are replaced with 12 per cent coupons, rolling old bonds increases overall interest costs. Adding the cost of new debts raises this cost again.

"This must impact the provincial budget in one of three ways because interest costs will rise as a percentage of the budget. Either other government services will suffer as funds are siphoned off to service debt or taxes will have to rise in order to maintain service levels in the face of higher debt service costs, or some combination of these two."

I think those of us in Ontario today will recognize that free spending practices cause those same things: a cut in services and an increase in taxes. We are seeing that today in the health care system. We are seeing it today in the education system. We are seeing it in the university system where, for the first time in the history of this province, 10 per cent of students will not be able to attend either a community

college or a university they are qualified to attend come this September. None the less, this is talking about the future and what happens when one borrows from the teachers' superannuation fund and from the Canada pension plan.

"The magnitude of this impact is potentially breathtaking." In 1984, the then Leader of the Opposition said this bill was breathtaking. "If past management is continued in the future, then the proportion of budget expenditures required for debt service could double by fiscal 1996-97 and triple by fiscal 2011-12. This would mandate a reduction in all other services, including health, by almost one third."

That is the research document the then Leader of the Opposition commissioned. That is the press release he presented in 1984. What has happened since 1984? He formed a government in 1985. The total debt has increased by \$8.7 billion. He was concerned then, in 1984.

We have been, admittedly, according to the Treasurer and the Premier, in boom economic times. During a time when we go through a recession, most people understand that governments intercede and have to spend a little more. It works, providing that in boom times one puts it back. We have been in boom times now: 1985, 1986, and 1987. What has happened? The total debt has increased by \$8.7 billion. It is a disgrace by any measure and it is a disgrace by the measure the then Leader of the Opposition put forward in 1984.

The total debt has increased by 29 per cent since 1984-85. The per capita share of debt has increased by 22 per cent during that same period. We are in boom times, the money is rolling in, and the debt is up by \$8.7 billion, close to 30 per cent, and the per capita share of debt has increased by 22 per cent.

I want to talk briefly and lend my comments about the teachers' superannuation fund, which I think is something that should be looked at. I want to go on the record as well, as I did teach school for a couple of years and participated in this fund for a couple of years, to indicate that I have no conflict. The first thing I wanted to do was get my money out of that fund. I do not care whether it is a Conservative government, a New Democratic government or a Liberal government.

**Hon. Mr. Ward:** Sure you do.

**Mr. Harris:** No, I do not.

1620

When I was a teacher and dealing with the superannuation funds, the last thing I wanted was for the government to have its mitts on my



money, at three, five and now eight and nine per cent. That is the last thing I wanted.

I also want to put on the record that one of the problems is the teachers themselves. The New Democrats did not say this in their comments, but they are a problem, the federations, the unions. The union I belonged to was the Ontario Public School Men's Teachers' Federation. I am proud to be on their pamphlets come election time as a former member. I am actually proud of a lot of the good work my former union performed and of a lot of the good work they continue to perform.

But I was not proud of the federations when it came to pension plans. I was not proud of them because, when I brought it up as a teacher—I brought it up again as a trustee, but particularly when I brought it up as a teacher—I was always told by the federations: "No. No. No. We do not want to interfere with that. We have a cosy arrangement with the government. They are going to guarantee our pension whether there is any money in it or not."

That cosy relationship, unfortunately, in my view, has led the government into improper planning and improper investment of the funds, which is going on today. In my view, it is not in the best interest of the teachers and is not in the best interest, particularly, of this government. That is why I am bringing it up in this forum today. I do not think the guarantees that are there, that when one reaches the 90 factor, 70 per cent of the average of one's best five years—If we take a look at the amount of money that goes into the pension plan and if we take a look at what good pension plan fund managers are able to achieve, in my view, the teachers are being ripped off, and the unions have to bear some of the responsibility because, certainly when I was involved, they kept agreeing to it.

At this particular time, as we oppose this piece of legislation—but we understand it is going to go ahead—I think it is important to place on the record that the whole teachers' superannuation fund should be looked at.

I want to talk about the Canada pension plan as well. I know there are rules that have been worked out with the federal and the provincial governments. I understand that whatever money is generated under the Canada pension plan in a province is available then to the Treasurer of that province to borrow from, and at a very favourable rate, a rate less than the market rate. There is something wrong with that. There is something wrong with the government borrowing from any pension plan, whether it is the Canada pension plan—

**Mr. Mahoney:** The Conservatives did not do it?

**Mr. Harris:** Yes, we did. There is something wrong with that. Perhaps the member missed the opening part of my comments. There is something wrong with that system, and it is something I believe this government should be speaking out on. Why have provincial premiers and provincial treasurers not spoken out on it in the past? Why do they refuse to do so today? Because it is a ready source of cheap money for them.

Whenever we have a pension plan—when we have the Canada pension plan—whereby that money is not getting a fair market return, the taxpayers or pension plan contributors collectively, are being ripped off. Every member here pays into the Canada pension plan. That was not always the case, by the way. That was something that just came in around 1979, 1980 or 1981, around when I was elected. But every worker, basically, pays into the Canada pension plan in Ontario, including self-employed people. They are all being ripped off because we are not getting the market value for those funds.

The government can say: "Maybe it is an unfunded liability. Maybe it is this and maybe it is not. We are guaranteeing a certain rate of return." All I can say is, if those funds gathered the market rate of return, there would be more money available for pensions.

There is something wrong when the government says: "This plan is compulsory. You must contribute to it whether you want to or not and you must take the meagre rate of return we are going to give you, because we are the ones who are going to borrow the money." Does that not fundamentally bother members? It has always fundamentally bothered me. I am putting it on the record again today and suggesting that perhaps this government, this Treasurer, this Premier or somebody, sooner or later, has to have enough gumption to say we should be looking at this.

I am concerned as well about the \$2-billion housing proposal. Perhaps the parliamentary assistant is paying attention. One of the things that will help me vote on this faster is if he can answer these questions in his summation of the second reading debate.

I do not understand, and perhaps he can explain it to me when he sums up this debate, how come we need a bill for the Treasurer to borrow money from the Canada pension plan and we need a bill for Ontario Hydro to borrow money, but we do not need one for the Ontario Housing Corp. All the Treasurer has to do is say, "Go ahead and do it." I do not understand that.



Perhaps the parliamentary assistant can explain to me how the Treasurer, just like that, can say, "The Ontario Housing Corp. can go ahead and borrow this money any time it wants and at the same rate that we borrow it," yet we need a bill in this House for the Treasurer himself or for Ontario Hydro to borrow the money. I do not understand the logic behind that. I would be interested in what the parliamentary assistant has to say in response to that.

Since the parliamentary assistant says there is no bill required and since we are into a government borrowing bill, perhaps it is a good time for me to ask something about the whole \$2-billion borrowing as well. I object to pension plan funds being used for any purpose that does not bring a market return. That is ripping off the people who contribute to the pension plans.

So what is the big deal, if the government is telling me it is getting a market return? I heard the Minister of Community and Social Services (Mr. Sweeney) say: "Oh, the cost of borrowing from the teachers' pension plan now is up quite high. We could do better in the market somewhere else." If the government is not going to the Canada pension plan for this borrowing—I assume that is not a better alternative—what is the big deal for the \$2-billion plan? It says it is going to let the Ministry of Housing borrow \$2 billion out of Canada pension plan funds.

If the Treasurer is telling us he can get money cheaper somewhere, why is the government ripping off the housing corporation? If it is getting these funds from the Canada pension plan at a rate of interest that is too low, why is it ripping off the pension plan? I can tell members that the Premier strongly objected to the Treasurer of Ontario using Canada pension plan funds for government purposes, and yet he made a big announcement, "That is how we are going to finance some mortgages for the Ontario Housing Corp." I do not understand how that makes particular sense.

One of the questions—and the parliamentary assistant may be able to answer this as well—is why this money, when the government borrows from pension plans, does not show up as a debt. Is that not a debt that this government owes? If it actually plans to repay it, why does that not show up as a debt when the government borrows money from these plans? If the government is going to give \$2 billion to housing, why is that not a \$2-billion debt?

1630

There is something wrong with it, but you guys keep saying, "Well, when you did it, there

was something wrong, so we're going to keep doing it that way." I tell you, I have never heard anything so stupid in all my life. "You guys did it wrong. Therefore, that's why we're doing it wrong." I will tell you, you are not going to last very long if that is your attitude, and it appears to be on a large number of issues.

**The Deputy Speaker:** Through the Speaker, of course.

**Mr. Harris:** Well, actually, I caught myself using the word "stupid" again. I did not want to associate that unparliamentary—as it may legally be—tone of language through the Speaker, but I will talk through you, Mr. Speaker, and in a parliamentary fashion.

There are a number of reasons we understand that the government has to borrow money, and we will have many other forums to criticize why the level of borrowing is disgracefully high, but certainly as a matter of principle I wanted to indicate, through you, Mr. Speaker, to the government, that we do not support the level of borrowing that Bill 117 asks for.

**The Deputy Speaker:** Does the parliamentary assistant wish to close the debate and respond?

**Mr. Polsinelli:** Just a few brief comments. In dealing with the situation that was raised by the member for Nipissing as to why certain things are done, often certain things are done in a certain fashion because it was the former Conservative government that established those practices. That does not necessarily mean that those practices are going to continue. That is the "why" they are done that way, it does not mean that they will continue to be done that way. That is the *raison d'être*, so to speak; that is for my French colleagues.

In terms of the other statement that the member for Nipissing made indicating that the government borrows from the teachers' superannuation fund because it is a source of cheap money, well, that is not exactly true. The teachers' superannuation fund's moneys cost us about 11.3 per cent today, compared to 10.1 per cent for Canada pension plan funds. If we look at the last five-year debenture that was issued by Ontario Hydro, that was issued at 10 per cent. So, effectively, it is not a source of cheap funds, but we should also look at what has been done with respect to that.

Members will recall that this government established the Rowan task force about a year or a year and a half ago to report exactly on this type of matter. In fact, they did report and they recommended that it may be an appropriate vehicle for the teachers' superannuation fund to



invest in the private marketplace. As a result of that report, the government has commissioned David Slater, whom we all know and love, to consult with the teachers and other affected groups and report back to us with respect to that issue.

That, I think, should also satisfy the member for Beaches-Woodbine (Ms. Bryden), who indicated that this particular bill should not be passed until such time as the government made a commitment to look at this issue. The government made that commitment a number of years ago through Rowan, his task force has reported, and now we are following up on his report.

**The Acting Speaker (Miss Roberts):** Is the pleasure of the House that the motion carry?

All those in favour say "aye."

All those opposed say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

#### FINANCIAL ADMINISTRATION AMENDMENT ACT

In the absence of Hon. R. F. Nixon, Mr. Polsinelli moved second reading of Bill 118, An Act to amend the Financial Administration Act.

**Mr. Polsinelli:** In the 1988 budget, the Treasurer (Mr. R. F. Nixon) announced that amendments to the Financial Administration Act would be introduced to allow the province to take advantage of innovative financing techniques designed to improve the management of debt and public debt interest costs.

The current Financial Administration Act permits the Treasurer to buy and sell securities as part of the sound and efficient management of public debt and public moneys.

This amendment recognizes that financial innovation has occurred in a variety of forms, many of which are not securities in the conventional sense. This amendment modernizes the act to permit the province to respond to changes in financial markets and reduce interest costs for the Ontario taxpayer by taking advantage of opportunities offered by other forms of financial contracts.

The specific contracts cited in the amendment are various forms of foreign currency agreements, as well as interest rate exchange agreements, commonly known as interest rate swaps.

These kinds of financial transactions have become common tools of modern financial management for governments, corporations and financial institutions. Among those making use

of these modern debt-management techniques are Ontario Hydro, the federal government and most other provinces.

The continuing trend towards deregulation and globalization of financial markets will likely lead to further innovation in the opportunities available for cost-effective public financing.

With this amendment to the Financial Administration Act, the Treasurer will be empowered, with the approval of the Lieutenant Governor in Council, to use such new opportunities for the benefit of the province.

**The Acting Speaker (Miss Roberts):** Are there any comments or questions with respect to the comments made by the member for Yorkview?

**Mr. Laughren:** I just have one question. What is the significance of the date, September 30, 1989, in the previous bill?

**The Acting Speaker:** Does any other member wish to comment, or have questions on the remarks made by the member for Yorkview? If not, does the member for Yorkview wish to reply?

**Mr. Polsinelli:** Yes, Madam Speaker. I guess we will have to go back to the previous bill even though we are dealing with this bill.

The Ontario Loan Act authorizes the province to borrow for a period of 18 months rather than 12 months. Those additional six months allow for a smooth transition in the case that the new loan bill is not approved within the 12-month period, so September 30, 1989, takes us six months past our fiscal year.

**The Acting Speaker:** Does any other member wish to participate in the debate?

**Mr. Laughren:** I appreciate the member for Yorkview's refusal to hide behind the rules and respond to questions on a previous bill. This bill is a remarkable bill. I think that, finally, the government has found a way to allow the Treasurer to use all of his talents. I think there is a sense over there that the Treasurer needs a new challenge, so what they have done is bring in this bill that is going to allow the Treasurer to speculate on things such as "foreign currency exchange agreements; interest rate exchange agreement; spot and forward foreign currency contracts and other securities, financial contracts, agreements and investments authorized by the Lieutenant Governor in Council."

This gives the Treasurer the right to speculate on foreign currencies, and even in forward foreign currencies. Can his privilege to speculate in commodity futures be far behind? I can see



what the government is after here, but, holy smokes, I assume that the member for Yorkview will be able to tell us whether the proceeds from this kind of speculation will be deposited in Swiss banks or whether they will be in Ontario banks, because the bill really does take us one step further into speculation in financial currencies and in the financial markets.

**1640**

The member for Yorkview is shaking his head. The explanatory note to the bill states: "Section 3 of the Financial Administration Act, which authorizes the Treasurer to purchase securities for the purpose of managing the public money and the public debt, is re-enacted to also authorize"—this is the addition—"the use of foreign currency exchange agreements, interest rate exchange agreements, and spot and forward foreign currency contracts."

If "forward foreign currency contracts" is not a form of speculation, I do not know what is. If the member for Yorkview is satisfied that this is finally the outlet for the talents of the Treasurer that his party has been seeking for some time, then so be it.

But I want to tell the member for Yorkview not to pretend that this is not getting into forms of currency speculation. The Treasurer will truly become a speculator extraordinaire. Maybe now we are seeing why the Treasurer is so reluctant to put any kind of tax on land speculation in Ontario. He is a born speculator. Finally, it all comes together. In previous questions when I would ask the Treasurer, I could not understand why he was so reluctant to have a speculation tax on the exchange of land. Now I can see it. He was planning to get into the big leagues himself to do speculation in foreign currencies and forward foreign currency contracts.

I can see that we are going to have some fun with the Treasurer over the next few years, as we rate his performance in the land of speculation. I look forward to the response of the member for Yorkview as he tries to tell us why this is not putting the Treasurer into the category of currency speculator.

**Mr. Polsinelli:** I think the member for Nickel Belt, who normally is a very eloquent speaker and knows what he is talking about, today missed the mark. In fact, this is the furthest thing from speculation that can possibly be imagined. What this is doing is rationalizing debt management and money management for the province.

Let's look at the simple thing that was explained to me this afternoon, by the way: what a foreign currency exchange agreement is. Let's

take an example of a \$6-million debt to the United States government in American funds—let's take that as a hypothetical; what happens to the size of our debt if the American dollar goes up or down? Obviously, the size of our debt is either increasing or decreasing, depending on the rate of exchange for the American dollar.

What a foreign currency exchange agreement means is that we can enter into an agreement with an American counterpart who owes \$6 million in Canadian funds. In fact, what we are doing is fixing our debt requirements, our debt to the United States, as it is fixing its debt to Canada. Irrespective of what happens to Canadian or American currency fluctuations, the size of our debt is going to remain the same.

That is not speculation; that is maintaining a fixed debt. Speculation means not entering into that agreement, because then we would be speculating on foreign money markets. If the American dollar went up, we would lose money. If the American dollar went down, we would make money. That is speculation. Not speculating is entering into the agreement.

**Mr. Laughren:** I am a little confused by the member for Yorkview. Does he have no faith in the marketplace at all?

**Hon. Mr. Sweeney:** Oh, come on, Floyd. You can't have it both ways.

**Mr. Laughren:** It is not me. I am not the one. It is not my bill. It is the bill of the member for Yorkview, who argues out of one side of his mouth that there is absolutely no speculation involved here, that there is not speculation in foreign currencies whatsoever. Right? What he is saying is that this will prevent any kind of speculation, stabilizing the amount of debt between two countries if the value of the respective currencies goes up or down.

What I am asking the member for Yorkview is what it is that leads to this. Is it that he is afraid or his government is afraid that, given the kind of financial administration and stewardship by the Treasurer and the Premier (Mr. Peterson), we will get the wrong end of the deal when the currencies do fluctuate, and therefore he had to bring in this bill to prevent that from happening?

That is what I gather he is saying, because if the value of the Canadian dollar goes up as a result of good stewardship by whomever, or bad stewardship by the other country, then Ontario would stand to gain.

So he cannot tell me he is bringing in this bill in order to protect some other country's interests. He is bringing it in to protect the interests of Ontario, presumably, which must mean that he is



worried about the value of the Canadian dollar going down. Does the member have no faith at all?

**Ms. Bryden:** I realize this bill is to presumably make the Treasurer a better money manager so that he can maximize the return from any moneys that flow to him from taxes, including taxes that we think are excessive, so that he can manage the public debt. It seems to keep going up rather than down, despite assurances in the elections that the Liberals were going to reduce the public debt and the deficits.

I would like to suggest that it would be much more productive if the Treasurer would become a true money manager and direct the money that does come into the Treasury in more ways which would increase productivity in Ontario—direct his money into investments in programs which will increase provincial economic development and will increase jobs.

That is productive money management, I would say. In the long run it will make the economy much more flourishing and the Treasurer will not have to put in the kind of punishing tax increases that he put in because his debt is so high and growing and because he is hiring so many new civil servants and because he is not providing the kinds of services that people want. But he says he has to raise the money for us.

It seems to me that one of the things he should be directing more of his funds to is developing facilities for processing our resources at home. That is true investment and true money management. He should be directing more resources into replacing imports such as mining machinery and computer technology.

We are never going to be able to stop the brain drain from our universities if we do not have high technology developed in this country, if we do not have sophisticated machinery manufacturing. This would be an investment that would reduce his money needs in the long run so that he would not have to just simply be manipulating money; he would be putting investments into the province that would pay off.

He should also be looking at investments in human resources, and that will pay off in the long run. For instance, preventive programs in health will increase our human resources and have less money going to doctors and hospitals and to curing illnesses that should have not occurred in the first place.

Investment in occupational health and safety will actually increase our resources and not require much fewer powers by the provincial Treasurer to invest his income and manage his

debt. All of these would increase our productivity.

**1650**

This is what we are disappointed in, that we have not seen this kind of money management by the Treasurer, and this is why we think this is simply a stopgap measure to increase the instruments that he can play with but not to direct his thinking towards how he can make investments in the province that will increase our economic development and our productivity.

He could also, of course, increase the money available if he cut out some of the tax concessions that he and Mr. Wilson are still giving to industry and to the well-off. Instead of allowing those concessions to continue, he could see that the money was directed to people who really need it and who will spend it on goods and services in the province.

He could also take another look at tax expenditures. We have not had a report on tax expenditures from the provincial Treasurer for a number of years. In Ottawa, they get one every year now. That gives the Minister of Finance and the rest of the Parliament an idea of where a lot of the concessions that companies are getting and a lot of the tax breaks that they are getting are actually going. That is something that I think should be built into his financial administration, which is the title of this act.

I would also like to see him and the cabinet insisting on the Ministry of Revenue's having a requirement in its act that it must produce an annual statistical report on our tax system and having the actual returns analysed as to what sectors of the economy they come from and the extent of the unpaid taxes. He should have a reporting system from the companies on the amount of unpaid taxes, which are called deferred taxes.

He has lots to do in financial administration, and I think this kind of minor extension of his powers is simply ducking the whole question of how the financial administration of this province could be improved.

**Mr. Harris:** When I first looked at this bill, it struck me that it was pretty routine. I thought the flexibility was appropriate and I wanted to support it and, on behalf of my caucus, indicate our support. But then after having the parliamentary assistant explain, in answer to questions that were raised by my good friend and colleague the member for Nickel Belt, I started to wonder if we were talking about the same bill. I think, though, I am going to rest secure in the knowledge that my first reading of the bill was correct. I do not



see anything in this particular bill that is not appropriate for the flexibility required of the Treasurer of the province.

I could take this opportunity to give an hour or two-hour tirade on all the other things the government is doing wrong, but I will pass on that, as once we finish this, I think we are going into budget debate itself, which might be a more appropriate forum for a number of those comments. Seeing that I have already had the opportunity to reply to the budget—and what a despicable document it was—I look forward to hearing from others of my colleagues in the House, from all three parties, who I am sure share the view that I put forward that the budget itself really is a disgrace.

Having said that, we plan to support Bill 118.

**Mr. Polsinelli:** I would like to thank all those people who understand and support the bill. I would also like to thank the ministry staff for having explained it to me. I think I understand some sections of it, although not all the sections, I frankly and candidly admit.

It is a fairly complex piece of legislation in the sense that it is dealing with money management and it is dealing with new and innovative tools that are at the disposal of many large corporations, including our federal government and many of the large banks.

I move second reading of the bill.

**The Acting Speaker:** Mr. Polsinelli has moved second reading of Bill 118.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for third reading.

**Hon. Mr. Conway:** By consent of the House leaders we will conclude the day by continuing the adjourned debate on the budget.

## BUDGET DEBATE

(continued)

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

**Mr. Harris:** On a point of order, Madam Speaker: I want to indicate that I am quite in agreement with proceeding with the budget debate. My colleague the House leader for the New Democratic Party probably is busy in committee at the moment and he had expressed concerns that it was not in Orders and Notices. In his absence, with our great friendship that we

have been developing over the past period of time, I want to put forward those comments on his behalf. We do not object, even though a number of our speakers, not seeing it on the order paper, have gone on to other business. But we will accommodate as best we can.

**Hon. Mr. Conway:** I just want to thank the member for Nipissing (Mr. Harris) for his remarks. I want to assure him that, while in the first instance the member for Windsor-Riverside (Mr. D. S. Cooke), the House leader for the official opposition, did raise that concern, after a discussion with the chief government whip, he agreed that this could proceed.

**Mr. Smith:** I am certainly pleased to rise today in my place and make a few comments on the budget. This is the first opportunity I have had to say anything in this 34th Legislature.

I want to say, first, that I am very pleased to be back and join my colleagues who may have been re-elected and certainly join all the new members here, who have, in my opinion, added a great deal to this House. I say that to the opposition new members as well as my own colleagues on our government side. I think they have all done a commendable job and I certainly hope I can keep my end up in the future here.

The first thing I want to mention about the budget is that it was brought in in something of a historic fashion. The Treasurer (Mr. R. F. Nixon) was not able to give the budget speech in the usual fashion but, under section 35(d) of our standing orders, he was able to table the document and therefore we could all see what good things were in this budget.

When I have talked with my municipal colleagues back in the riding or the constituency, they seem to always have a hand out, whether it be transportation or whether it be environmental projects, and I am sure the people of Lambton all feel they are worthy projects. I think it is the duty of the government to go ahead and fund these in the appropriate manner and with as many dollars as we can see fit to raise.

Some of the items I wanted to mention in the budget were, specifically, transportation and the environment, as well as agriculture and health care.

When we talk about health care, it does account for a third of the overall provincial budget, so certainly in that area we have to register some concern that this section of the budget does not not expand as rapidly maybe as it has in the past. But with the money that we do raise, we hope that it will do a tremendous



amount of good in all the different areas out in Ontario.

**1700**

Back in my own riding of Lambton, the Charlotte Eleanor Englehart Hospital has been doing a very commendable job in the past and I am sure it will in the future, but we have to see that it is given enough funds to carry on the work and the service to the people of that community and the surrounding communities. We also have two other hospitals within the Lambton community, which are Sarnia General Hospital and St. Joseph's Hospital. They are located in Sarnia. I am sure this budget will help their funding position as well.

The one area that I think we hope to be able to address in the coming year would be the Ontario health insurance plan computer. I think it is a piece of equipment that has likely outlived its time. The government, along with the Minister of Health (Mrs. Caplan) and the Chairman of the Management Board of Cabinet (Mr. Elston), should look into this to see whether it could be replaced this year.

I know there were many claims. In fact, I believe it was a year ago there were something like 81 million claims that went through this computer. Last year I believe it was up to 93 million. It has got to the point where this piece of equipment maybe cannot handle all the claims that are going through, and I think we should consider replacing it.

I certainly appreciate any funds the Ministry of Health has provided to our constituency and the many ways the Ministry of Health has provided them. I know that it is appreciated by all back in Lambton.

Another area that we get to talk about quite a bit back in Lambton is the environment. Because we have approximately 20 multinational petrochemical plants along the St. Clair River, I guess we are in the forefront quite a bit of the time. There are many spills that happen out of these plants.

I know the companies themselves want to keep a clean environment and they try to improve on what they have been doing over the years. But with this type of manufacturing and business that they run, we are certainly going to have problems from time to time. I think it is up to the Ministry of the Environment to help in any way possible to provide assistance and inspection services to see that that river and, in fact, quite a bit of our Great Lakes system is kept to the best care we can possibly give it.

Also with the Ministry of the Environment, we have what is called the municipal-industrial strategy for abatement program. I know that in this budget there has been over \$50 million added to it. Hopefully, some of those funds will go to improve the infrastructures of our communities. Some of them have got to the age where they have to be replaced. I think that our Minister of the Environment (Mr. Bradley) will be able to help out in many ways.

It is incumbent upon all of us to clean up some of our municipal problems as well as our industrial problems. I think that adding funds to this MISA program is going to help this year and likely in years to come.

Also, when I think of the funds that we have got from the Ministry of the Environment back in Lambton, we have what they call the East Lambton water project. It is in process now. The first phase has been completed, and the second phase is well on its way. This will be providing Lake Huron water to about seven municipalities in the north part of Lambton. It is a much-needed project and has been going along almost on schedule. A few little gremlins have come into the system from time to time but, in general, it is a commendable job. We will have water for another four municipalities in the very near future.

I certainly feel we have benefited over the years and I am certain we are going to benefit in the year to come through this budget, with funding for the East Lambton water project as well as distributing water lines within the municipalities of Enniskillen and Moore townships as well as Sarnia township.

Although some may criticize this budget, I think I can see, from my point of view and in my constituency, a lot of good coming from it. I certainly want to commend the Treasurer for seeing fit to provide more funds to the environment. I know that has been an area which maybe he has not always appreciated in funding as much as it should be, but I think in this one we are starting to move ahead and, hopefully, it will help all of Ontario in the future.

Another area where I have always felt there is a need throughout any of our municipalities is good roads. As a member of a municipal council and a county council, I always thought that as long as we could show people where the money was being spent in whatever particular area they may have lived, we did not really get that many complaints on raising taxes from time to time, provided we could show the people that they were going to a good purpose.

With roads, I think that if we reconstruct when necessary and resurface, reconstruct brand-new roads, I guess, for that matter, the people are quite prepared to pay a little extra to travel on better roads. Certainly, it helps the car you may happen to drive. I have seen over the years many potholes on some of our roads, but through time, we get them fixed. I think the travelling public appreciates anything we do to restore our highways.

Here are some of the projects that have taken place in the past three years, since I have been a member. We have reconstructed Highway 21 from Reeces Corners right down to Dresden; the third phase will be completed this year to the town of Dresden. That will be a main artery north and south in the riding of Lambton, and we certainly appreciate those funds.

Another area we are working on this year is Highway 79, which runs from Alvinston down to Bothwell. That will be resurfaced and made a better road to travel for our many trucks which are heading south towards Windsor, Detroit and into the United States, in some cases.

Another road I have had many complaints about over the three years I have been a member is Highway 80. I suppose, if I could mention someone who played a part in Highway 80 in the first place, it was the previous member for Lambton, Lorne Henderson. He lives on that road. I do not know whether that had anything to do with getting it built in the first place, but it has deteriorated over the past number of years, certainly not just in the past three. I understand the Minister of Transportation (Mr. Fulton) is going to start to help update that road in the centre of Lambton which runs from east to west.

I believe the Minister of Transportation is helping out the people of Lambton in that way, and we appreciate those funds. Also, with regard to the many municipalities that receive supplementary funds or funds through the Ontario Municipal Improvement Corp., we have gained a great number of dollars through those areas.

I do not have too many problems going back home and saying, "Yes, this budget did raise a lot of dollars, but I think we can see in Lambton many areas where these dollars are being spent and being spent very wisely." I have to say that I am certainly prepared to support the Treasurer in what he has done here with his budget.

1710

The other area that maybe I am most familiar with is agriculture because that is my background along with a couple of other jobs. I guess I have

always felt I was a farmer, regardless of what other things I may have attempted to do.

As a farmer, it was not a large increase this year. I do not believe I have that percentage figure. It was about a \$15-million increase, but over the three years I have been a member here, the agriculture budget has increased by approximately 86 per cent or 87 per cent. I think we are gaining. I do not think we are in the league, shall we say, of possibly the Ministry of Health budget, but some would say that maybe we do not need as much as Health.

Everyone is entitled to his point of view. I guess I always feel that we can do a little more for agriculture because it is one of our primary industries. Whatever you give at the bottom always manages to rise to the top and do a lot of good for a lot of people.

Some of this new money that came into agriculture, I believe, will go for stabilization programs in the future. One that I know has just been announced within the last few days, along with the federal government I must add, is the tripartite on white beans. It is going to be a very large payout this year, I believe somewhere around \$192.53 per metric tonne to the white bean producers of 1987. That will help last year's producers of white beans.

I do not want to take too many more moments of time here in discussing the budget, because I know there are a lot of members who would like to add their opinions and comments. I just want to say that as I go back and talk to the people of Lambton, I think our Treasurer has had a big job to do. I think he has shown leadership in the Treasury, the finance department, over the three years.

I think we have spent \$7 billion in capital funds somewhere. These capital funds will be part of projects that will be here for the next generation to enjoy. It is not as if we have mortgaged the future of our children with unwise spending, shall we say. I think there have been some very good projects started in the Treasurer's time and I am certainly proud to be a member of this government.

With these few comments, I would like to say that I am certainly supporting the Treasurer on his budget and I hope everything will go well in the year.

**The Acting Speaker:** Would any other honourable member wish to participate? The member for Nickel Belt.

**Mr. Laughren:** I really should not speak a second time on the budget, I guess.



**The Acting Speaker:** Thank you very much for informing me of that. The member for Nipissing.

**Mr. Harris:** I just have comments on that.

**The Acting Speaker:** There are no comments. Oh, I am sorry. Comments and questions.

**Mr. Harris:** I just want to comment on the remarks of the member for Lambton (Mr. Smith)—Has that riding changed? It is just Lambton, is it not?—particularly his comments on the deterioration of the roads in and around his riding that I heard him talking about. I apologize that I was not able to be here for the entire speech, but as I was coming in the member for Lambton was making comments and expressing concerns on behalf of his constituents that the funding for roads was just not enough to keep up in his riding and he hoped that with the massive tax grab the Treasurer was wreaking on the residents of Ontario they might be able to eke out a little more money for roads.

I want to agree with the member. I want to say that I too share the concern that this is an abominable budget. I want to agree with the member for Lambton about the charade and statements of the Treasurer and the Minister of Transportation that the need for this tax grab was to put more money into infrastructure. When you look at the capital budgets, they have not gone up. When you look at page 50 of the budget, the capital budget this year over last year is up \$83 million, I think. If you also look at the line item that talks about government services, it is up \$83 million, which means that all the increase in capital spending is going to house new civil servants, some 8,000 or 9,000 depending on the estimate looked at in the budget.

It is a disgrace and I too join the member for Lambton and congratulate him on—I understand he has to support it, being a Liberal member, but I read between the lines the total condemnation and lack of money—

**The Acting Speaker:** Order. The member's time has expired.

**Mr. Mahoney:** I want to congratulate the member for Lambton. I find it interesting, though, in the response to his speech and in many of the other comments, that many members of the opposition, I believe, are operating on the premise that if you repeat something often enough, people will believe it, that it does not necessarily have to be based on the facts of the budget.

The example that was given earlier by the member for Nipissing was the \$2-billion fund

announced for housing. He suggested in his comments that this should be added to the debt of the government. I do not know how he can suggest that or perhaps try to cause concern where concern need not be caused, because that fund was simply made available for housing corporations to borrow from and will be guaranteed by the government.

I do not know how you can translate a loan guarantee in a housing program as progressive as that as being debt that should be added to the government's overall debt.

I also find it interesting that he would stand up after the member for Lambton gave a very good account of the many problems across the province, Madam Speaker, which you are well aware of, where we have had to go in and correct many of the problems that have been caused by many years of neglect—not only in the areas of roads and environment, but in the area of education, where we have had to go in and infuse a substantial amount of money to make up for the fathers of underfunding, who for years and years—

**Mr. Chiarelli:** Scandalous.

**Mr. Mahoney:** They were scandalous. It is unbelievable how they ignored the need to put money into the infrastructure of this province. To now stand up in response to the honourable member's speech and suggest he is agreeing with him about the problem with the roads is really tantamount to admitting the fault of the former Conservative government in not taking care of the necessary infrastructure in this province.

**Mr. Smith:** I certainly want to thank the member for Mississauga West (Mr. Mahoney) for his comments in trying to straighten out the member for Nipissing who I think must have come in a little after the fact. I was just trying to say that we are very proud of all the dollars that have gone into Lambton and we are certainly working on them and, hopefully, trying to get more and make the roads that much better.

He did bring up a comment I maybe forgot to mention. I have heard many times from the opposition about all the civil servants this government has created. Well, some of them have been put in place because of federal legislation. I think of the Young Offenders Act, which has required the province to hire many more staff to carry out that legislation. That is one area.

But I also want to refer back to, I think it was 1977 or 1978, when the former administration—I certainly would not want to mention what party it was—had, I believe, somewhere in the neigh-

bourhood of 90,000 civil servants. We have yet to achieve that number. I am just trying to straighten out a few figures here which have been thrown around from time to time. I hope that the member for Nipissing is listening when I say that we hired only 89,900 and they, 11 years ago, had 90,000 civil servants.

1720

**Mr. McCague:** I am pleased to join in this debate on the budget of the Treasurer for this fiscal year. I am also pleased that I was able to withstand the steamroller effect of the Liberal crushing that we took at the polls some months ago and was returned to this House for—soon to commence—my 14th year.

We have had in Simcoe county three Progressive Conservatives representing that area for a long time, and this time we have one Liberal, my colleague the member for Simcoe Centre (Mr. Owen).

**Mr. Ballinger:** They finally got smart over there.

**The Acting Speaker:** Order.

**Mr. McCague:** Well, they are a lot brighter than in some parts of the province, which I will not name.

However, it has been a pleasure to have been a member of this House, as I say, for almost 14 years. Having started out as a back-bencher and then a parliamentary assistant and then a cabinet minister and then a member of the opposition and now a member of the third party, I think I did everything in reverse. However, it is an experience I am sure I or anybody else in this House would not want to miss. I have not very much money, but I have a little bit of money to bet that there are a lot of people in this parliament who will not be back in the next one, and they will not be all through resignations or refusals to run either.

It is interesting what the people in my riding are saying about the Treasurer's budget. I am fortunate enough that a lot of people contact me. I sent out a questionnaire and had about 1,500 replies. I will read the kinds of things the people in my riding think about the Treasurer's budget. The problem is that I do not have any nice things to say about it if the only thing I do is to read what the people in my riding are saying.

"The uncontrolled rape of the average middle- and lower-class taxpayer to cover the ever-escalating cost of government spending through mismanagement and waste and greed." That is what one person thinks.

Another says: "Lower the deficit and the money saved on interest can be used to cut taxes or spend as needed. No business or person can continually run up their finances. Some day someone must pay the piper. Bring down the deficit. Show some guts and leadership."

"Governments waste too much money doing studies." Now, if there ever was a government that knew how to do studies, it is this one. Study, study, study. Action? No, no, no.

"Governments waste too much money doing studies, therefore wasting valuable time, so when they come to fix the problem it costs four to five times the amount it would cost originally."

As we all know, the increase in sales tax, the one per cent increase—or about 15 per cent increase, actually—taps the average family for something in the area of \$100 per year. One person suggested that the Treasury should use the extra funds it is raising to give the Treasurer a \$100 going-away present on this constituent's behalf.

I would not want to offer the Treasurer a going-away present just to get rid of him. The Treasurer is a gentleman who has been a member in this House for many, many years, a member for whom I have all kinds of respect, a member who I thought, honestly, would be better than he is as Treasurer. He is hoping, I am sure, that the increases he incorporated in this budget will be forgotten three years from now. I suggest to him that, on that one, he is dreaming.

I want to give him credit, though, for being able to produce a budget and use the kind of language that really disguises everything from even the trained eye. It is almost an impossibility to figure out what it is the Treasurer is doing in any particular ministry or in any particular capital area.

I accused the Treasurer a couple of years ago, when he made his big announcement of \$850 million over five years towards capital for hospitals, of really doing only this: using the \$170 million that was the customary expenditure over a period of years, multiplying by five, and putting in the budget "\$850 million."

To this day, and after having raised it with the Treasurer on several occasions, I have not been able to get him to answer the question as to whether the \$850 million he is putting in is new money or is simply five times \$170 million. He just will not answer that question.

The same kind of disguise creeps into this budget. I really think the Treasurer is getting better at it. Each time it is a little harder to figure out where the money is supposed to go and then



at the end of the year to figure out just where it went. That is not to denote any kind of dishonesty whatsoever. It is just simply to say that it is so complicated and so well printed that it is hard for the average member to figure out what has happened.

Had we had the opportunity of getting to the estimates of the various ministries last year, we would have been able to figure out the answers to some of those questions, but as members know, we did not have the opportunity to consider the budgets of many ministries.

A member can ask a question in the House, and of course the minister, as was the case with governments for a long time, can answer the question in whatever fashion he chooses, or not at all if he chooses. But it is different when you are in committee and in estimates. At least, if the minister does not know the answer, he can turn to his civil servants who do have the answers. We get fair and reasonable answers when that process is allowed to continue.

In 1986 and 1987, the Liberals overspent their capital allocations by \$387 million and underspent by \$227 million, for a net overexpenditure of \$151 million. Not one ministry achieved its budget plan; 15 ministries overspent and seven ministries underspent.

The accounting of that is just a nightmare for all members of this House. That was in 1986-87. In 1987-88, the capital allocations were overspent by a total of \$70 million and underspent by a total of \$185 million, for a net underexpenditure of \$115 million. Again, not one ministry achieved its budgetary plan; nine ministries overspent and 14 underspent.

Generally speaking, it is more difficult to accurately budget capital funds—in favour of the problem the Treasurer has—than to budget operating funds. Capital funds are often given to other levels of government and institutions for various projects, such as the construction of schools, hospitals, roads, sewers and rental accommodation.

The government does not have control of these projects, which are vulnerable to a whole series of problems that can affect the final cost and the year in which the money is transferred. These problems include delays in site acquisition, rising real estate values, delays in rezoning and local approval, construction delays and strikes. Thus, it is not unusual for a ministry not to achieve its capital budget plan.

What is unusual is the degree to which individual ministries have overspent or underspent. For example, rising real estate values can

hardly explain the Ministry of the Solicitor General's overspending its capital budget by 242.8 per cent in 1986-87. Nor can construction delays explain the Ministry of Housing's underspending its allocation by \$63 million in 1986-87 and then, after that lesson, by \$34 million in 1987-88. We all know the housing problems that are facing every riding in this province.

### 1730

Certain other oddities are prevalent. In 1986-87, three ministries, the Board of Internal Economy, the Ministry of the Attorney General and the Ministry of Consumer and Commercial Relations, spent \$11 million on capital projects in spite of the fact that they did not receive any allocations for capital in the budget. On the other hand, the Ministry of Revenue received an allocation of \$30 million which it never did spend.

Again in 1987-88, three ministries—that is, the ministries of Consumer and Commercial Relations, Labour and Skills Development—spent a total of \$13 million on capital projects in spite of the fact that they did not receive any allocation for capital in the budget. Also in 1987-88, two ministries which function as advisory bodies, the office responsible for senior citizens' affairs and the office for disabled persons, received capital allocations for the first time. It is difficult to understand what capital projects an advisory body would have.

A comparison shows problems within particular ministries. For example, Environment and Housing have grossly underspent their capital allocations for the last two years while the Solicitor General has grossly overspent its allocation in both years. The member for Lambton was explaining to us in his remarks what was needed from Environment in his riding. If it is underspent, why did he not get some of it?

Economic development projects were the biggest percentage underspender in both years, despite the fact that their allocation was slashed in half in the second year.

Other ministries go from one extreme to the other, overspending in one year, underspending the next. The ministries of Health and Agriculture and Food are the notable examples.

Transportation accounts for almost half of all government capital spending. However, because of budget restructuring, it is impossible to isolate figures for the Ministry of Transportation alone. It is included with Culture and Communications and Citizenship. Of the total allocation for the four, Transportation accounted for 95 per cent in 1986-87 and 97.5 in 1987-88.



I would like to go through some of the highlights of some of the programs in my riding.

One of the things that the government of the day likes to do is recite everything that happened in the last 42 years or that did not happen in the last 42 years and use that as its excuse for not having done something, or say that what was done before was the impediment in its way and so on and so forth. I think personally, as one of the quiet members of this Legislature, one who does some thinking about these things, it is about time that the government of the day stopped blaming something that the NDP said was its policy 20 years ago or something we did four years ago as its excuse for doing nothing.

I mean that sincerely. It is not a criticism, it is just a question: why do they not get on with the job, as the honourable member from Mississauga West knows? Now I know that member—and the thought has gone through his mind, I am told, that—

**Mr. Ballinger:** It wasn't a very long trip.

**Mr. McCague:** I did not say "a" thought had gone through his mind, I said "the" thought has gone through his mind that he might return to the laurels of a certain office in Mississauga at some point, but I am glad to know he is going to be here for at least the three years following November 14.

**Mr. Mahoney:** It will be longer than that.

**Mr. McCague:** Well, maybe. I know he can test the water pretty well; he is quite an opportunist.

However, I think it is time that the government stopped bringing all the history up and got on with the job that it was elected to do. After all, people did not elect them to criticize the 42 years of PC government. The only thing I am sure of is that there will not be a Liberal government for 42 years.

**Mr. Ballinger:** Don't bet on that.

**Mr. McCague:** If the honourable member would like to bet on that, I would be very glad to join him in that.

As I was saying, in the figures, the Ministry of the Environment was underspent in capital projects last year, and God knows there are enough capital projects out there. We all have them, all 130 of us, in our own ridings. So I do not think there is any need for underspending in a ministry as important as the Ministry of the Environment.

I have had opportunities to talk to many of the civil servants within that ministry and discuss with them various projects in my riding. I sense,

among those civil servants, a little bit of impatience and a little bit of concern that it is very difficult to get the minister to approve the projects as they would recommend them to him, and I know them well enough there to know that they would not recommend something to him for which they did not have money.

The absence of the Minister of the Environment here today for Canadian Environment Week I think was inappropriate. I would suggest to him that he should not be looking after his own personal popularity and he should remain in the office and approve some of those projects that are so important to all the members of this House.

I am glad the parliamentary assistant to the Attorney General (Mr. Offer) is here. He has been very gracious. He has come up to my part of the country a couple of times this year. The subject, as he well knows, is the continuation of a courthouse in Alliston.

**Mr. Ballinger:** Did he bring you a cheque?

**Mr. McCague:** No, he did not bring a cheque and he did not say yes and he did not say no. What I am trying to get from him is a yes, but it may be that the Attorney General (Mr. Scott) is the one who has to give that yes.

A big part of it is the presence of Honda in Alliston, which now has 1,000 employees. Alliston is a growing place. We got into a little dispute which we do not need to raise here as to whether the town asked the courts to leave or whether they left of their own volition. However, leaving all those things aside, probably within the next week or so the parliamentary assistant could get that approved for continuance. He is getting it from all parts of the province. The court facilities are loaded and that one, I think, would help alleviate some of the problems and would be a service to about 20,000 people in that general area where I really feel that it is needed.

The Minister of Education (Mr. Ward) is not with us this afternoon but I wanted to—

**Mr. Ballinger:** He's out—

**Mr. McCague:** That is right. If the member was doing something, I would get to him too, but he is not doing anything.

I am sorry the Minister of Education is not here because, really, I wanted to thank him. We are very fortunate in Simcoe county that about \$8 million was provided to both the public and the separate boards for capital construction. It is a growing part of the province and, for that, we are thankful.

**Mr. Mahoney:** You are thankful for something.



**Mr. McCague:** Very much so, yes. Quite a balanced perspective, I have, much more so than the member, even though he is part of the government.

However, I guess the one promise of the government that comes back to me more often than not is the promise of the 60-40 funding—over a period of time, granted, but the government has slipped on that. Instead of going ahead, it is going backwards.

**Mr. Ballinger:** We're putting it all in the capital.

**Mr. McCague:** The member does not know anything about it, really.

The government is going backwards on the 60-40 split and I think it is going to have to come good on its promise one of these days.

**Mr. Ballinger:** Capital is up 400 per cent.

1740

**Mr. McCague:** And so is the revenue, so the government is all set. It does not have a thing to worry about.

The Ministry of Industry, Trade and Technology has been very active in our part of the country. As members probably know, the shipyards closed over a year ago now in Collingwood and, at the time of the closing the announcement was made that Magna would locate a plant there, the opening of which is Friday of next week.

We are still having some difficulties with the people who became unemployed, the older workers, when the shipyards closed down. At a meeting that was called two or three months ago, after nobody really came forward for the first year, there were 90 people who turned out who were interested in some kind of adjustment and assistance or further training. I understand that of that 90, about 60 have some part-time employment, although not at the level that they were accustomed to when they were working at the shipyard.

I know that the Premier (Mr. Peterson) tried to get a little fancy during the last election on the business of retraining. He did not want to go along with the federal government on a program they had. He wanted to start up his own. To my knowledge that program really has not done a whole lot.

On skills development, I understand that the Minister of Skills Development (Mr. Curling) incidentally was, I am sure, with my colleague, the member for Simcoe Centre in Barrie last week. I was sorry I could not get up. I know that the member for Simcoe Centre would look after

him well, but he was telling them there how glad he was to come in the middle of the afternoon, because if he could get there in the middle of the afternoon he would not have to stay here and answer questions. I cannot quite understand that line of thinking, but that is his line of thinking.

I figured it out today. I understand that he has told—or maybe he has not told—but I understand that many of the directors around the country have been told that there has been \$43 million taken out of the minister's budget. The reason for that apparently is that the skills development program is not as popular as originally envisaged. I do not know who knows what was originally envisaged. I do not think any members over there do either.

**Mr. Ballinger:** Cut out the hearsay; let's have some fact.

**Mr. McCague:** That is fact, sir. The other side of it is that in my area they tell me the demand for skills development and for the programs that come under that is up 30 per cent. But the minister or his people are saying that it is down and therefore we can take out \$43 million.

If we can ever find out what budgets have been cut, we can find out what the Premier or his cabinet were not sincere about last September 10. It looked good at the time but one can figure it right there. I think that is a disgrace. It is another broken promise and there are many.

The number of questions that have been raised in the House by both opposition parties regarding health is an indication of how well or how poorly the Ministry of Health is doing at the present time. The Minister of Health likes to stand in her place, look at the Treasurer and say, "Mr. Treasurer, I am being very fiscally responsible. I am just telling everybody 'No.'"

She turns sometimes to the Chairman of Management Board to see if he really says no too. Then the heads wag a bit and she carries on saying, "We have to be responsible. We have to have a review, review, review." The problem is, it does not matter what the review says—with one exception, St. Mary's Hospital in Timmins.

We have the same thing at North Bay Civic Hospital. There are other hospitals where there is nothing but compliments in the reports that come back from the team, yet the minister reads her cue cards, 1 to 10, and says the same thing and the same thing over and over again.

One of the interesting things is this business about the Wellesley Orthopaedic and Arthritic Hospital and the fact that Dr. Cameron has had to cut back. He had his budget cut. I grant it was not the Minister of Health who cut the budget. It was



the hospital because of its dire circumstances that had to cut it from \$1.6 million to \$1 million. So Dr. Cameron had to send out a letter telling them, "We have all kinds of time and talent to do Workers' Compensation Board cases and treat people from all over the world, but we cannot get the money to look after Ontarians."

I think the member for Nipissing made a good suggestion today, that it may be a lot cheaper if the government were to buy the joints for these people.

I got an interesting letter from a fellow today. I am not going to read his name into the record but I will be glad to show it to any member. This fellow was one of the 100 recipients of awards given by the Minister of Agriculture and Food (Mr. Riddell) a few weeks ago. He says:

"I am in receipt of Dr. Hugh Cameron's letter which cancels my scheduled operation for my hip to July 14, 1988. I understand and appreciate that I am one of the lucky ones to receive such early treatment.

"At the present time I am bedridden and in intense pain. To ask someone to persevere with this pain, when an operation at once could alleviate it, is inhuman. It is time the powers that be are made to realize the serious situation which has been brought about by poor planning on the part of the provincial government.

"We all have appreciated our OHIP policy, but if the time has arisen when this government regulation no longer meets the needs of the people, it should be adjusted to do so.

"You will note by my letterhead that I am a breeder of animals and at no time would permit an animal to persevere with pain, discomfort, and experience a nervous strain which at my age will be very difficult to overcome. Please express my feelings where it will do the most good for our cause."

I am hoping that this is the place where it might do the most good for his cause, but we are beginning to wonder, on this side of the House, if it makes any difference, if the government really cares.

"The Wellesley Hospital has done an outstanding service to our community. My past experience with three operations by your Dr. James and Dr. Cameron have allowed me to continue in my way of life. I am a very active, young, 72-year-old, and for a man to be forced to give up a year of his life at this stage of his life, which will never be regained, is beyond comprehension.

"Minister Caplan should never have suggested seeing another doctor. Has she forgotten that this is a democracy and she is there on our behalf?

"Again, thank you and your staff"—

**Mr. Ballinger:** For being such a nice guy.

**Mr. McCague:** He is a nice guy. He may well be a Liberal too, but he knew that if he wrote to a Progressive Conservative member in this province, it would at least get mentioned in the House. He knew if it went over there, it would just get lost.

**Hon. Mr. Conway:** George, George.

**Mr. McCague:** George?

**Hon. Mr. Conway:** What would Wally Downer think of this?

**Mr. McCague:** The only problem with the House leader is that everything works well but his memory. He does not remember what he used to say when he was over on this side of the House.

**Hon. Mr. Conway:** What would Wally Downer think of this performance?

**Mr. McCague:** He would probably think it was much too low-key. I am sure he would think it was much too low-key.

Interjection.

**Mr. McCague:** No, you are quite a nice bunch over there, really. Once we get you out of these surroundings, you are not bad at all.

There is an interesting thing going on. I remember when we were in government, "arrogance" was a word the House leader could yell across the floor with great volume.

However, I want to just take a moment or two to discuss a couple of things that are happening. I am sure the House leader is not happy about the fact that the Minister of Municipal Affairs (Mr. Eakins) stood in this House some months ago now and announced there would be a committee of this House touring the province to discuss county government.

I said that day, and I did not say it nearly strongly enough, that it was really nothing more than a history lesson for eight unemployed back-benchers, and a geography lesson too. That would not be so bad, but the statement that was made said it would be a committee of this Legislature. I would be quite content for the House leader to do as much research as he wants to see if that had ever been done before, when a committee of this Legislature happens to be eight Liberals. I do not think that has ever happened.

**1750**

Then to add insult to injury, I understand the member for Muskoka-Georgian Bay (Mr. Black) is now the chairman of a committee studying waste management, again a committee on which,



to my knowledge, there are no other members of this assembly.

**Hon. Mr. Conway:** Caucus committee.

**Mr. McCague:** Well, caucus committee. I call a lot of it cockeyed; that is what it is. Mr. House leader, you are quite a learned parliamentarian and you are part of the leadership over there. I have never seen such abuse of the parliamentary process as you have invoked in this particular case of county government.

**The Deputy Speaker:** Through the Speaker, of course. Address your remarks through the Speaker.

**Mr. McCague:** I am sorry, Mr. Speaker. I sent you up a note. I thought I would converse with you, and I just go ahead with the others now. I am sorry about that.

I still think that should be very seriously looked at.

The member for Oxford (Mr. Tatham)—

**Mr. Ballinger:** Nice guy.

**Mr. McCague:** An excellent gentleman, yes. We should have more of them in that party. The day the announcement of the committee and the members of the committee was made in the House, the member for Oxford, to his credit, came to me and said, "Would your party be interested in putting somebody in this group that is going to study government?" I said, "I am sure it would." He had the right idea. He understands county government; he understands democracy. But somehow there is somebody over there who wants to have a geography lesson for eight unemployed back-benchers. There are not many things that have disturbed me—

**Mr. Ballinger:** See that, Charlie? You give an inch, he takes a mile.

**Mr. McCague:** No, I was ahead of Charlie. I had mentioned it in my comments to the minister at the time and Charlie spoke to me afterwards.

I have never seen a bigger abuse of the parliamentary system than that since I came here; I have not, in almost 14 years. I think the government should ask for it—answer for it.

**Mr. Wildman:** They're asking for it.

**Mr. McCague:** They are asking for it, and combined, we may be able to give it to them in about three or four years from now.

**Mr. Ballinger:** Don't hold your breath. You're going to have to do better than you're doing.

**Mr. McCague:** I am not too worried about that.

**An hon. member:** They are going to do it to themselves.

**Mr. McCague:** Yes, that is true.

In the Ministry of the Environment in the area of waste management, I know that all the members over there are feeling the same pressures as to what the minister does. I know that when we were the government, the tendency was to keep out of the waste management business and leave it fairly and squarely at the local level. The local-level politicians are becoming so frustrated with any system now that they are really asking that the provincial government show some leadership.

**Mr. Ballinger:** They want to cop out.

**Mr. McCague:** The member has his own explanation.

They are becoming frustrated with it and they want some top-down leadership, even top-down action, if you want to put it that way. In my general area, the mayor of Orillia had a motion, seconded by the mayor of Collingwood and signed by the mayor of Midland. The "therefore" clause is, "Be it resolved that the member municipalities of the association petition the province of Ontario to direct the Ministry of Municipal Affairs to assume a co-ordinating role to assist the municipalities of Ontario to resolve the serious solid waste management problems now facing the majority of municipalities in Ontario."

**Mr. Ballinger:** It is called passing the buck.

**Mr. McCague:** I would not be so bold as to suggest that they were passing the buck. If the member knew anything about the municipal government system, he would know what a problem it is. It is just those kinds of comments that will probably assure that he never gets in those two rows there and maybe moves even farther back in the area that he is in.

I think we are all here to help each other, and if the government can do something to help the municipalities, why would it not want to? I know they love to blame the municipalities. They dumped Sunday shopping on them. If it is not a municipal problem, it is a federal problem, and what the devil are they doing over there on most of these issues? Absolutely nothing.

It is not as if they do not have help. I take a lot of pride in the fact that for seven years I was Chairman of Management Board, and during that time we were able to reduce the number of civil servants by almost 8,000. It has taken the Liberals only three short years to increase that number by 9,000.

**Mr. Ballinger:** You put everybody on contract, George.

**Mr. McCague:** The contracts were counted. Everything was fair and square; they just never believed it. I am not even sure that this figure, the 9,000 increase figure, includes contract, because the Liberal Party was always screaming about that over the years and did not have any proof. I am sure they know how to figure it all out if they want to. I am sure they do.

With respect to the Ministry of College and Universities, I think the funding of education at the higher level is going to be a problem. It has been said that not everybody is going to be able to go to university and not everybody is even going to have the choice of university and/or colleges.

I had the privilege of being the first or the founding chairman of the Georgian College of Applied Arts and Technology, a college that has done very well since the founding year of 1967. I noted on the radio over the weekend that they are still conducting the same kind of sound financial planning that was instituted by the first chairman and that they do in fact have a little money in the bank, so that if the government proceeds to lower transfers or anything like that—God forbid—they will at least be in a position to carry on for some time beyond that kind of D-Day.

I know it is a real problem. The plant and equipment are a problem for the numbers of students there are who want to go to these institutions today. I know full well the problems that we had with parents expecting that the only place for their son or daughter to go was to university. It took a lot of years to explain to them that the education they got at community colleges was a valuable education. For the first 15 years or so of the college, the rate of employment of the

graduates was something in the area of 93 per cent, which is phenomenal.

I just encourage the government to adequately fund both the universities and the colleges, the colleges particularly, where the courses they take and the degree they get does really equip them for furtherance in the workforce.

I would just like to reiterate to the House leader that if it is not too late for him to reverse that business of the county government study group and include some members of the other parties of this House, I think he would be correcting a very, very serious wrong.

My area of the province, thanks to good government for the last 45 years—particularly good for the first 42 of that and pretty good for the next three of that—has done particularly well. I guess that is because of its proximity to Toronto; the fact that Magna went to Collingwood, or some subsidiary industries to that; that Honda came to Alliston and F & P came to Tottenham. The growth is really phenomenal.

Interjection.

**Mr. McCague:** What did the member for Simcoe East (Mr. McLean) say came?

**Mr. McLean:** Mitsubishi to Midland.

**Mr. McCague:** Well, I am talking about my riding. I thought the member had a chance to speak on this a little earlier.

**The Deputy Speaker:** It now being six o'clock, would you like to move adjournment?

**Mr. McCague:** Yes, I would like to do that, Mr. Speaker.

On motion by Mr. McCague, the debate was adjourned.

The House adjourned at 6 p.m.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

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|---|--|
| Adams, Peter (Peterborough L)   | <b>Fontaine, Hon. René</b> , Minister of Northern Development (Cochrane North L)           |
| Allen, Richard (Hamilton West NDP)  | <b>Fulton, Hon. Ed</b> , Minister of Transportation (Scarborough East L)                   |
| Ballinger, William G. (Durham-York L)   | Furlong, Allan W. (Durham Centre L)  |
| Beer, Charles (York North L)  | <b>Grandmaitre, Hon. Bernard C.</b> , Minister of Revenue (Ottawa East L)                  |
| Black, Kenneth H. (Muskoka-Georgian Bay L)  | Grier, Ruth A. (Etobicoke-Lakeshore NDP)   |
| Bossy, Maurice L. (Chatham-Kent L)  | Haggerty, Ray (Niagara South L)  |
| <b>Bradley, Hon. James J.</b> , Minister of the Environment (St. Catharines L)        | Hampton, Howard (Rainy River NDP)  |
| Brandt, Andrew S. (Sarnia PC)   | Harris, Michael D. (Nipissing PC)  |
| Breaugh, Michael J. (Oshawa NDP)  | Hart, Christine E. (York East L)   |
| Brown, Michael A. (Algoma-Manitoulin L)   | Henderson, D. James (Etobicoke-Humber L)   |
| Bryden, Marion (Beaches-Woodbine NDP)   | <b>Hošek, Hon. Chaviva</b> , Minister of Housing (Oakwood L)                               |
| Callahan, Robert V. (Brampton South L)  | Jackson, Cameron (Burlington South PC)   |
| Campbell, Sterling (Sudbury L)  | Johnson, Jack (Wellington PC)  |
| <b>Caplan, Hon. Elinor</b> , Minister of Health (Oriole L)                            | Johnston, Richard F. (Scarborough West NDP)  |
| Carrothers, Douglas A. (Oakville South L)   | Kanter, Ron (St. Andrew-St. Patrick L)   |
| Charlton, Brian A. (Hamilton Mountain NDP)  | <b>Kerrio, Hon. Vincent G.</b> , Minister of Natural Resources (Niagara Falls L)           |
| Chiarelli, Robert (Ottawa West L)   | Keyes, Kenneth A. (Kingston and The Islands L)   |
| Cleary, John C. (Cornwall L)  | Kozyra, Taras B. (Port Arthur L)   |
| Collins, Shirley (Wentworth East L)   | <b>Kwinter, Hon. Monte</b> , Minister of Industry, Trade and Technology (Wilson Heights L) |
| <b>Conway, Hon. Sean G.</b> , Minister of Mines (Renfrew North L)                     | Laughren, Floyd (Nickel Belt NDP)  |
| Cooke, David R. (Kitchener L)   | LeBourdais, Linda (Etobicoke West L)   |
| Cooke, David S. (Windsor-Riverside NDP)   | Leone, Laureano (Downsview L)  |
| Cordiano, Joseph (Lawrence L)   | Lipsett, Ron (Grey L)  |
| Cousens, W. Donald (Markham PC)   | Lupusella, Tony (Dovercourt L)   |
| Cunningham, Dianne E. (London North PC)   | MacDonald, Keith (Prince Edward-Lennox L)  |
| Cureatz, Sam L. (Durham East PC)  | Mackenzie, Bob (Hamilton East NDP)   |
| <b>Curling, Hon. Alvin</b> , Minister of Skills Development (Scarborough North L)     | Mahoney, Steven W. (Mississauga West L)  |
| Daigeler, Hans (Nepean L)   | <b>Mancini, Hon. Remo</b> , Minister without Portfolio (Essex South L)                     |
| Dietsch, Michael M. (St. Catharines-Brock L)  | Marland, Margaret (Mississauga South PC)   |
| <b>Eakins, Hon. John F.</b> , Minister of Municipal Affairs (Victoria-Haliburton L)   | Martel, Shelley (Sudbury East NDP)   |
| <b>Edighoffer, Hon. Hugh A.</b> , Speaker (Perth L)                                   | Matrundola, Gino (Willowdale L)  |
| Elliot, R. Walter (Halton North L)  | McCague, George R. (Simcoe West PC)  |
| <b>Elston, Hon. Murray J.</b> , Chairman of the Management Board of Cabinet (Bruce L) | McClelland, Carman (Brampton North L)  |
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| Eves, Ernie L. (Parry Sound PC)   | McGuinty, Dalton J. (Ottawa South L)   |
| Farnan, Michael (Cambridge NDP)   | McLean, Allan K. (Simcoe East PC)  |
| Faubert, Frank (Scarborough-Ellesmere L)  | <b>McLeod, Hon. Lyn</b> , Minister of Colleges and Universities (Fort William L)           |
| Fawcett, Joan M. (Northumberland L)   | Miclash, Frank (Kenora L)  |
| Ferraro, Rick E. (Guelph L)   | Miller, Gordon I. (Norfolk L)  |
| Fleet, David (High Park-Swansea L)  |  |
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Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)  
 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
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 Poirier, Jean, Deputy Speaker and Chairman of  
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 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)  
 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reyecraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
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**Sweeney, Hon. John**, Minister of Community  
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**Wilson, Hon. Mavis**, Minister without Portfolio  
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 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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No. 71

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Tuesday, May 31, 1988

Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, May 31, 1988

The House met at 1:32 p.m.

Prayers.

## MEMBERS' STATEMENTS

### USE OF LOTTERY PROFITS

**Mr. Laughren:** The members of the House and people across Ontario will know that in the last minority government, between 1985 and 1987, the Treasurer (Mr. R. F. Nixon) introduced a bill which would have deconditionalized lottery profits to allow them to be spent on things other than culture and recreation. Under persistent questioning in opposition to it from the members of the House from the two opposition parties, that bill was withdrawn and was never proceeded with. Under persistent questioning as to why it was not proceeded with, the Treasurer indicated he did not have plans to reintroduce it. That simply was not true. As soon as the government got its coveted majority, along came Bill 119, an act that would deconditionalize the lottery profits.

Municipalities all across this province count a great deal on lottery profits to fund their cultural and recreational programs. Right after the introduction of this bill, as though by coincidence, the Ontario Lottery Corp., an arm's-length corporation supposedly, launched a \$1-million campaign to try to sell Ontario on the need for this new bill, but it will not admit that is the purpose of the advertising. That is exactly what it is. It is a smarmy, inappropriate use of Ontario lottery profits in order to convince Ontario that it should support a bill to which the Treasurer knows there is going to be a great deal of opposition all across the province.

### SOCIAL SERVICES

**Mr. Villeneuve:** Last Thursday the Minister of Community and Social Services (Mr. Sweeney) expressed his concern that the free trade agreement with the United States would make it difficult to maintain or expand this province's social and welfare services. I am sure the minister will be relieved to learn that this is not the case.

When he made his statement, the minister was no doubt unaware that there had never been one

single, solitary case in which a social welfare program anywhere in this country has been modified, limited or eliminated as a result of a trade agreement or trade action.

He must also have been aware that the free trade agreement is consistent with the General Agreement on Tariffs and Trade, and that under GATT, generally available social programs are simply not countervailable, a fact the Americans discovered about three years ago.

He was also apparently unaware that there is nothing in the free trade agreement which will impede the ability of this province or this country to develop and finance social services and that the treaty clearly protects the rights of Canadians, including the minister, to take measures to protect public welfare.

It does not surprise me that the minister was confused on this matter in that he was only following the lead provided by the Premier (Mr. Peterson), who has spent the last two years desperately searching for some rational reason to justify his opposition to a trade agreement which will provide this country with significant new employment and economic opportunities while fully protecting our rights as a sovereign nation.

### SALE OF DRUG-RELATED EQUIPMENT

**Mr. McGuinty:** On December 10, 1987, I asked the Attorney General (Mr. Scott) a question about the sale of drug-related equipment. In response to that statement, I received many calls from parents and teachers, counselors and members of law enforcement agencies, who share my concern. Since this is a matter for the Criminal Code, I passed along my concerns to the Minister of Justice for Canada, the Honourable Ray Hnatyshyn.

I am pleased to inform members of the Legislature and concerned parents across Ontario that since I raised this matter, an act to amend the Criminal Code of Canada has been debated and referred to a committee of the House of Commons in Ottawa. I wish to congratulate Robert Horner, MP for Mississauga North, who drafted and introduced this important bill.

A House of Commons committee has been established to deal with this matter and I hope that it will act as quickly as possible. For too



long, we have ignored the enormous social and personal costs that have been inflicted on countless families because of illicit drugs. I congratulate the members of the House of Commons in Ottawa for supporting a bill which not only assists in the fight against drugs, but also recognizes the valuable role that private members' bills can play in dealing with important matters of public policy.

#### NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr. Swart:** The crunch is fast approaching for Niagara College. Within 10 days the board will be making its decision on which programs will be eliminated. The necks of seven programs are on the chopping block waiting for the axe to fall. The irony is that for some of these programs there is a long student waiting list to get into them. For almost all of them, there is heavy demand for the graduates. If these programs are not cut, others with equal attractiveness will be. One way or another, about 30 staff and 150 student places will be eliminated.

Is this Liberal government going to permit this to happen? I suggest that it is not only permitting it, it is part of the overall strategy. Without ever acknowledging it, the Minister of Colleges and Universities (Mrs. McLeod) and this government have consciously determined to reduce the number of college program options available to students in any area of the province with only one college, and that is most of the areas. No longer will they be true community colleges fully serving the respective areas. They are being forced to specialize. Many students will have to move out of their own communities if they are going to get the course they want. Of course, many of them cannot afford it, so they will just drop out.

If the scenario I have portrayed is wrong, let the ministry prove it now by telling Niagara and other colleges that it will work out a funding formula with them so that the program can continue.

#### BLUE MOON

**Mr. Runciman:** Members will be aware that shining over Ontario tonight will be that rare occurrence known as a blue moon. This phenomenon occurs when we have two full moons appearing in one month. Tonight will be the second this month. Astronomers may have their own explanation of this, but it is very clear that in Ontario this month there is a political aspect to this event. The moon will be bluer tonight

because of the overwhelming reaction to the Treasurer's (Mr. R. F. Nixon) recent budget, compounded by the outcry over the government's Sunday shopping law.

The increase in Progressive Conservative support over the last month is clearly going to make tonight's moon one of the bluest in years over Ontario. It has become apparent that major government policies are nothing more than stardust—indeed, Toronto stardust. It is clear there is going to be a blue moon rising over Ontario tonight in more ways than one. I would ask unanimous consent of the House to declare this month Progressive Conservative month in Ontario.

**Mr. Mahoney:** It is more likely a Blue Lite evening tonight.

#### BARBARA TURNBULL

**Mr. Mahoney:** I would like to bring an inspiring news item to the attention of this assembly. I am sure all members will recall the tragic incident of an 18-year-old store clerk, Barbara Turnbull, who was shot during a holdup at a late-night convenience store five years ago. The shot severed Barbara's spine and paralysed her from the neck down. Today Barbara, although confined to a wheelchair, is pursuing a degree in journalism at the Walter Cronkite School of Journalism in Arizona.

#### 1340

Although there are many disabled students enrolled and living on campus, Barbara is the first quadriplegic person to live in the student housing provided by Arizona State University. Barbara has discovered the student way of life. She attends football games and is a regular at one of the student hangouts, the Dash Inn. Barbara was quoted in an article by the Mississauga News on April 13, 1988, as saying, "I felt I was missing the ultimate student experience while living at home in Toronto. I can assert more independence here and be on my own."

Her courage sets a fine example for us all and certainly profiles the essence of National Access Awareness Week, which is being recognized from May 29 to June 4. This week celebrates the successes of our disabled and establishes the goal of five-star communities in Ontario.

In her courage and determination, Barbara Turnbull has not only proven her independence but has gained the respect of the entire community. Her story certainly represents one of the many achievements that will be celebrated during National Access Awareness Week.



## STATEMENTS BY THE MINISTRY

### CAMBRIDGE MEMORIAL HOSPITAL

**Hon. Mrs. Caplan:** Members will recall that on May 16, Vickery Stoughton, president and chief executive officer of the Toronto Hospital, was appointed investigator into the recurring deficit situation at Cambridge Memorial Hospital. This action was taken because Cambridge hospital has had a deficit since fiscal year 1986-87. The projected deficit for the current fiscal year was \$3 million.

I wish to inform the House that Mr. Stoughton has completed his investigation and today I am tabling his report for the members' information. Let me quote directly some of the report's findings:

"Contrary to the majority of Ontario hospitals, Cambridge Memorial has authorized medical staff changes without freeing up or acquiring additional resources to support these staff additions.

"Administrative ability to manage existing resources and acquire new resources prior to introducing additional costs has not been demonstrated in the past three to four years.

"The approach to date has been to make additional appointments, provide access to more hospital facilities to respond to utilization demands, approve expenditures to meet these demands and then ask the government for help in funding deficits. In contrast, other Ontario hospitals identify community needs, quantify the cost of meeting these needs, submit requests through the district health councils to Ministry of Health officials and hire new employees only after programs have been approved.

"The current situation at the hospital appears to be related to input provided to the board by management of the hospital. Administration made arguments and received approvals from the board which led to the deficits.

"The hospital board firmly believes they were responding to appropriate community health care needs.

"The Cambridge Memorial board needs specific authority to manage the complexities that created the problems. To do this, they must clearly understand both their responsibility and their authority and they must have an administration that manages the hospital in accordance with hospital policy that does not contradict government policy."

Ministry representatives have met with the hospital board chairman and are prepared to continue meeting to develop a satisfactory

operational plan. The board also has the investigator's report and will be reviewing its implications.

It is my preference to work with the board and its chairman and to provide them with the administrative support necessary to operate the hospital in a fiscally responsible way, gradually eliminating the deficit while maintaining an acceptable level of community service.

## SEXUAL ASSAULT

### VIOLENCES SEXUELLES

**Hon. Mr. Sorbara:** As minister responsible for women's issues, I announced at a press conference earlier today the launching of a sexual assault public education campaign which will be held throughout the month of June. The campaign has been developed for the Ontario government by the Ontario women's directorate, a central government agency whose mandate is, of course, to work for the economic, legal and social equality of the women of our province.

En tant que ministre délégué à la Condition féminine, j'ai annoncé, lors d'une conférence de presse tenue aujourd'hui, le lancement d'une campagne d'éducation du public sur l'agression sexuelle, campagne qui aura lieu pendant tout le mois de juin. Cette campagne a été élaborée pour le gouvernement de l'Ontario par la Direction générale de la condition féminine de l'Ontario, organisme central du gouvernement qui a pour mandat de faire avancer l'égalité économique, juridique et sociale des femmes dans la province.

This is the first campaign of its kind in Ontario.

The theme of the campaign is "Sexual Assault: It's a Crime"—"L'agression sexuelle, c'est un crime." Our goal is to prevent this crime by increasing public awareness and understanding of sexual assault and the myths that surround it. The campaign has a number of components.

Its centrepiece is two television advertisements which challenge widely held myths that blame women for being sexually assaulted and allow assailants to avoid responsibility for their actions. The ads have been produced both in English and French and will air throughout the month of June. As well, a brochure on sexual assault will be widely distributed in many public locations throughout the province, including grocery stores, during the campaign.

The third component of the campaign is also significant. A total of \$120,000 has been issued by the Ontario women's directorate to some 69 community groups across Ontario. These funds are being used for local public education



initiatives, specific to the needs of local communities. These projects will reinforce the message of the mass-media advertising.

I want to give the House a few examples of what this money is doing in local communities. For example, In Chatham, the Chatham-Kent Sexual Assault Centre is undertaking a survey and a sexual assault public education display in a local shopping mall, and presenting two public forums on the issue. In Kenora, the Ojibway Tribal Family Services group is presenting sexual assault workshops, led by native female elders, to native women from 14 bands. In Toronto, the Disabled Women's Network is putting out a brochure and holding a workshop, and the Immigrant Women's Health Centre is holding six workshops for immigrant women in workplaces, each workshop in a different language.

These local initiatives are impressive examples of the important work being done by community organizations on this very important issue. I want to thank them and also members of the community advisory committee who helped guide the Ontario women's directorate in the development of this campaign. We appreciate their assistance and their commitment.

The directorate has invited 13 ministries of the provincial government to the first meeting in mid-June of an interministerial committee as part of a co-ordinated provincial government approach to the issue of sexual assault.

This co-ordinated approach is similar to the government's approach on the issue of family violence. The committee will look at new and ongoing policies and programs—programs such as information sessions on sexual assault which were presented by the Ontario women's directorate to provincial crown attorneys and judges in the district court system in Ontario.

I would like now to outline the goals and the messages of the campaign that was launched today.

First, we want to increase the public's awareness about what sexual assault is and the fact that it is a crime. Sexual assault includes not only rape but any unwanted act of a sexual nature, from intrusive touching to intercourse.

In this campaign, we are addressing the myths that surround sexual assault. It is time to put aside the fiction and take a hard look at the truth. One of the most misleading myths is that in most cases women are sexually assaulted by strangers. The facts are different. In more than half of all instances of sexual assault, women are assaulted

by men they know—their colleagues, neighbours, employers, acquaintances or husbands.

Another critical message we want to convey is that we all have a community responsibility for prevention of sexual assault. This crime is far more prevalent than most people realize. In fact, one out of every four Canadian women is sexually assaulted in her lifetime and the majority of women do not report the crime. Many women tell no one at all, often out of fear that they will be blamed. Women suffer pain and trauma from sexual assault, even many years after. They may show this in different ways or not show it at all.

### 1350

We must place responsibility for sexual assault on the offenders and stop blaming the victims. No one should have to live in fear. As a community, we need to care about and talk about this issue. Everyone has to understand that a woman has a right to say no, whatever the situation.

When the right of women to the security of the person is recognized and respected, we will be on our way to preventing sexual assault and achieving true equality for women in our society. I believe this campaign we have launched today is a significant step in that direction.

### TECHNOLOGY FUND

**Hon. Mr. Kwinter:** I would like to inform the Legislature of the latest initiatives by the Premier's Council technology fund.

The Premier's Council, which is made up of leaders of the labour, business and academic communities, is a sterling example of the spirit of co-operation which must exist between key players in the Ontario economy if we are to maintain our present level of prosperity.

The technology fund directed by the Premier's Council forms the cornerstone of the government's drive to devise long-term strategies for economic development in Ontario. These strategies focus on the need for technological advancement and research and development as a way of improving our international competitiveness.

The role of the technology fund is to support and encourage science and technology research in the private sector and at post-secondary institutions. The fund has already provided some \$38 million for eight industrial research and development projects.

Today I am pleased to announce that three more projects will be funded by the technology fund.

The first is a project by the Canadian Semiconductor Design Association to improve the abilities of Ontario firms to compete in the design and manufacture of integrated circuits. These circuits are one of the key building blocks for a vast array of modern high-technology products. The Ontario government will provide up to \$22.7 million to four companies, in association with several Ontario universities, to design new types of silicon circuits.

The four companies are Calmos Systems Inc. of Kanata, Linear Technologies Inc. of Burlington, Mosaid Technologies Inc. of Kanata and the semiconductor division of Mitel Corp., also in Kanata.

This project will help these companies pool their resources and talents to build better circuits. These superior circuits will then be transferred into products such as hearing aids, telecommunications equipment, test systems and encoders.

The second project involves Pylon Electronic Development Co. Ltd. of Nepean, in collaboration with Queen's University and the National Research Council. Pylon will develop a compact and easily portable detector for monitoring a variety of substances such as narcotics or pesticides. It will also have industrial applications. For example, it will be able to identify different types of wood in a sawmill operation or determine the age of fish products. The technology fund will provide up to \$1.5 million for this project.

The third project is a proposal by ISG Technologies Inc. of Mississauga to develop a new diagnostic machine. These machines will be able to give doctors instant three-dimensional images of a patient's body, allowing prompt diagnosis of internal anatomy without X-rays. The technology fund will provide up to \$4.7 million for this project.

I believe these projects will enhance the province's abilities to compete in world markets. They will boost exports and replace imports, and that means greater wealth for us all. Indeed, the recently released report by the Premier's Council entitled *Competing in the New Global Economy* identified the need to develop more home-grown Ontario exporting companies if we are to continue to increase our standard of living.

The technology fund's assistance for projects such as those announced here today will play a vital role in helping the province achieve this goal.

#### SENIOR CITIZENS' MONTH

**Hon. Mrs. Wilson:** Over the years, the quality of life in this province has been immea-

surably enriched by the contributions and the dedication of the older members of our society. It is in tribute to our province's seniors that the government of Ontario has once again proclaimed June as Senior Citizens' Month, a time to honour the role of seniors in our society, celebrate their achievements and encourage their continuing active involvement in the life of our province.

When we celebrate Senior Citizens' Month in Ontario, we show our appreciation of the collective wisdom, experience and service of a growing and vital segment of our population.

This year, the theme for Senior Citizens' Month is "Opportunity is Ageless," a theme which expresses the enthusiasm and creativity with which seniors take advantage of the choices around them. At every age, young and old, there are many new and exciting opportunities available, opportunities to get involved and to participate fully in life.

As in past years, the Senior Citizens' Month theme will provide the focus for the month's activities as well as the slogan for the annual Senior Citizens' Month poster, available this year in 29 languages.

The highlight of the province's tribute to seniors will be the presentation of the Ontario Senior Achievement Awards by the Premier (Mr. Peterson) at 6 p.m. on Monday, June 6, in the main foyer of the Legislative Building. The purpose of these awards is to recognize and honour seniors who have made significant contributions to our communities and to the quality of life in Ontario, particularly during their retirement years.

Nominations flowed in from every corner of the province, with an overwhelming total of over 700 individual seniors nominated for an award. With the assistance of Mrs. Ivy St. Lawrence, chair of the Ontario Advisory Council on Senior Citizens, and two of our colleagues—the member for Beaches-Woodbine (Ms. Bryden) representing the New Democratic Party caucus and the member for Markham (Mr. Cousens) representing the Progressive Conservative caucus—21 recipients of this year's award have been chosen.

The 1988 award recipients are: Ms. Kate King-Fox-Assinewai, Wikwemikong; Louis Audette, Ottawa; Ernest Berner, Guelph; Sister Maria Cordis, Hamilton; Jack Cox, Orillia; Jack Dyce, Hillsburgh; Mrs. Dolores Gray, Kenora; Herbert Hanmer, Ottawa; Mrs. Emily Irvine, Windsor; Florent Lalonde, Welland; Aimé Lamoreaux, St. Charles; Jack Lutsky, Willowdale; Mrs. Charlotte Matthews, Sarnia; Mrs.



Eileen Nagels, Mississauga; Mrs. Gladys Owen, Espanola; Mrs. Eunice Robinson, Mississauga; Dr. Gordon Romans, Willowdale; Mrs. Florence Rowsome, North Augusta; Louis Sfreddo, Dryden; Mrs. Margaret Sinclair, Aylmer West; Mrs. Mildred Temple, Unionville.

Many of the opportunities that are available to seniors in our communities today would not have been possible without the vision, commitment and energy of these outstanding men and women. They continue to contribute to the world around them and enrich the lives of many. They are role models for all of us, young and old alike.

This year's annual award recipients are being honoured not only for their individual accomplishments, but also because they typify the spirit of thousands of seniors across this province. Their accomplishments will help increase society's awareness of the vital role seniors play in our communities. Right now, for example, almost one third of volunteers in Ontario are senior citizens. During Senior Citizens' Month we applaud all seniors across Ontario who continue to grow as individuals.

I hope that each member will join me in celebrating Senior Citizens' Month by encouraging the organization of, and personally participating in, activities in his or her community.

## RESPONSES

### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Farnan:** The Minister of Health (Mrs. Caplan) fails completely to recognize the Woods Gordon report which found the Cambridge Memorial Hospital to be well run, well managed and cost-effective. Furthermore, she totally refuses to recognize what a dynamic hospital should be, responding to the phenomenal growth in the residential sector of the Cambridge community.

The actions of this minister remind me of a day long past, of an old schoolmarm who is having difficulties with her students, who has chaos in the classroom, and she hits on the idea of whipping an individual student, willy-nilly. It does not matter whether it is the right one, but, "Let's make an example, even if it is the best and the brightest." Cambridge Memorial Hospital was one of the best cost-effective hospitals in the province.

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The poor, unfortunate schoolmarm. The student who has been whipped knows that what has been carried out is wrong; those who witnessed the punishment know that what has been carried out is wrong, and that poor, unfortunate school-

teacher, acting in this way, knows in her heart and soul that what she has done is wrong.

We have a hospital whose cost-effectiveness is \$81 less than that of the average hospital of its size. We have a hospital whose cost-effectiveness has saved this government \$49 million over the last four years. The minister is trying to remove the chaos, and what does she replace it with? Harsh punishment, indiscriminately meted out unjustifiably.

## TECHNOLOGY FUND

**Mr. Morin-Strom:** I would like to react to the statement by the Minister of Industry, Trade and Technology (Mr. Kwinter) on the new projects approved out of the Premier's Council technology fund.

While the individual projects are to be commended, there are serious concerns that have to be raised in terms of the overall thrust of this program, and why this program is not being used to look at the whole economy of this province and instead is being focused on high technology. We have very important industry in basic industries and in our raw materials and resource development that have to be attacked in this province and further developed.

The Premier's Council is there to encourage our international competitiveness. Surely one of those areas is in the resource sector in northern Ontario, but again we have nothing going to the north, nothing going to that sector of the economy, where we desperately need more jobs and more secure, value-added jobs, which have been recommended in previous reports from the Premier's Council but again have not been acted on.

### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. B. Rae:** It is hard to know what to make of what has taken place in this kind of Star Chamber approach to the Cambridge hospital. The Woods Gordon report that has been referred to already states—I just want to quote it because I think it is important to get it on the record—on page 48, "The area of quality of management is not an issue that is contributing to the deficit situation at Cambridge Memorial Hospital."

It then goes on to say, "Administration is a highly capable, hard-working and dedicated group. The hospital is well kept and operated and the statistical and financial information available for decision-making is outstanding."

It is just impossible to square this with what the minister has said today, and we are going to have to investigate as to why the results of the two



inquiries are so totally different from one another.

### SEXUAL ASSAULT

**Mr. B. Rae:** I want to respond briefly to the statement that has been made by the Minister of Labour (Mr. Sorbara) speaking in his capacity as the minister responsible for women's issues.

It is, of course, important for the public to be informed and it is important for the public to receive the kind of information that is being made available, but I say to the minister that I do not encounter from the public a sense that the information is not available. The people who come to see me and who write me are those women who are waiting in line, waiting in order to get into a centre, waiting for a place to live. The uncertainty of funding of the rape crisis centres, which is an enormous problem across the province, results in people having to come cap in hand every year for support from this government.

I think it is the height of irresponsibility for a government to be carrying out an information campaign saying, "Come and see us. Be aware, there are these services available," when the reality is that the services are not that available. The reality is that the services are, like all services given by this government, severely rationed. It is a government of waiting lists. All the minister is doing is adding one more group to yet another waiting list.

**Mr. Jackson:** I would like to respond to the announcement of the minister responsible for women's issues about the public awareness campaign for sexual assault.

I too would like to indicate that this government clearly gets high marks for publicity and clothing itself in these wonderful advertising campaigns but does not score well in terms of managing this most serious social issue in this province.

We have a crisis in terms of stabilized staffing arrangements in our rape crisis centres in this province. We had two centres that were in jeopardy of closing which received only interim funding so that they could survive during the course of this campaign. I am referring most notably to the Kenora and Oshawa centres. The Sault Ste. Marie centre has closed.

The fact is that the government has an embargo on a stable staffing formula in this province, and our party, for one, has clearly made a statement that we want that embargo lifted and we want a stabilized staffing formula established for the rape crisis and intervention services that are

provided for women and children who are the victims of this abuse.

This is the Kingston centre. It is well documented; we are spending six times as much on the perpetrators as we are on the victims of these violent crimes in Ontario.

We want a strong management approach out of this government on this issue, not more advertising campaigns with its name on it. What we need is action for those women and stable support for interval houses and rape crisis centres, and we need that action now.

### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Eves:** I would like to respond briefly to the statement today by the Minister of Health (Mrs. Caplan). She goes to great lengths to point out that the majority of hospital boards in the province do not operate the way Cambridge Memorial Hospital did.

I can tell the minister, and I am sure she is aware, that some 90 out of 222 hospitals in the province do indeed have deficits, many of them through no problems of their own. They are in rapid-growth areas, like Cambridge Memorial, or they are regional hospitals, such as St. Mary's General Hospital in Timmins, and they have some justifiable reasons for having deficits, if they are going to provide essential health care services to the people in the area of the province that they serve.

With all due respect to the minister, with respect to her comment about getting prior ministry approval, it might be helpful if the minister and the ministry were not some two years behind in the case of some approvals with respect to programs and facilities that are needed at various hospitals across the province.

The Woods Gordon report, which the government paid for and endorsed, identifies the special circumstances of Cambridge Memorial. It is very hard to rationalize some of the conclusions that the Woods Gordon report comes to with the report of the ministry's special investigator.

What about the other 21 operational reviews in Ontario? Both opposition parties have asked the minister repeatedly over the course of the last several weeks to table those reviews. The minister has had them in her ministry for some two months now, since March 31; it is now May 31. I think it is about time she made that information public.

Perhaps she should respond to every hospital that she did a review of in the same way and with the same quickness that she has done with Cambridge Memorial, because I think the people



of Ontario deserve it; certainly the hospital administrators and boards across the province deserve it. Surely we are all trying to do the same thing, and that is to provide first-class health care to the majority of Ontarians.

#### SENIOR CITIZENS' MONTH

**Mr. Cousens:** The Ontario Progressive Conservative Party believes that every month is seniors' month, but we are especially glad that the month of June is set aside to recognize our senior citizens, who have contributed so much to make this a province of which we are all proud. We saw 700 or so names submitted for the honour achievement, and it is good that 21 people will at least be recognized next Monday night.

I think the challenge is for all of us to continue to recognize our seniors, listen to them, let them be part of our community, let them be part of our counsel and allow them to live with dignity and to continue to play the important role they can in our society. I think that is something we should all continue to work towards.

#### TECHNOLOGY FUND

**Mr. Sterling:** I would like to speak with regard to the statement of the Minister of Industry, Trade and Technology (Mr. Kwinter). It says: "The Premier's Council, which is made up of leaders of the labour, business and academic communities, is a sterling example of the spirit of co-operation which must exist between key players in the Ontario economy if we are to maintain our present level of prosperity."

I do not know if that is true, but I do know that the grant today to Calmos Systems Inc. of Kanata is a sterling example. I do know that the grant today to Mosaid Technologies Inc. of Kanata is a sterling example.

Interjections.

**Mr. Speaker:** Order.

**Mr. Sterling:** Most of all, I do know that the grant today to the semiconductor division of Mitel Corp. of Kanata is also a sterling example.

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#### ORAL QUESTIONS

##### HOSPITAL SERVICES

**Mr. B. Rae:** I have some questions for the Minister of Health, partly arising out of her report today and partly arising out of the continuing situation facing many patients as well as many hospitals in the province.

Can the minister tell us just how she explains the incredible discrepancy between the comments made by Mr. Stoughton with respect to the management of the hospital and the comments that are contained in the Woods Gordon report? How does she square those two documents, which are totally the opposite of one another when it comes to that question?

**Hon. Mrs. Caplan:** We have chosen an approach, which is to work with the hospitals on an individual basis where we determine that there are some administrative problems. One of the things that is pointed out is that there is a difference between running an efficient hotel operation and managing the resources of a hospital, in seeking approval in advance from the ministry before adding staff, expanding programs and starting new programs. The approach we have taken is to work with the hospitals on an individual basis to help them manage the resources that the ministry approves for them.

**Hon. Mr. Scott:** Good for you.

**Mr. B. Rae:** I see the minister is getting approval from her seatmate the Attorney General (Mr. Scott), who obviously approves of this kind of draconian approach.

**Hon. Mr. Scott:** She certainly is; she's doing a great job.

[Applause]

**Mr. B. Rae:** I appreciate the applause.

First of all, the minister did not answer my question. This report on the Cambridge Memorial Hospital is now a matter of public record and it is a report which the minister has absolutely failed either to endorse or significantly comment on.

I would like to ask the minister, if I may, about another report which was presented to the Northwestern General Hospital and sent to Mr. Walker. It has been made available to us by the Northwestern General Hospital, since the ministry instructed all hospitals to make their documents available in reading rooms.

This report says there are things the hospital can do to reduce its deficit. They can charge people more for parking, they can charge more for dietary and they can charge the Ontario health insurance plan for pre-admission testing rather than charge the hospital for testing once a patient is admitted. So by changing the date of admission on a patient, one can charge OHIP for the system rather than charge the hospital.

Even with those changes, the hospital is proposing today to come in with a deficit of \$1 million and it says there is no way it feels it can

reduce that deficit any further without curtailing services to patients at an unacceptable level.

**Mr. Speaker:** Question?

**Mr. B. Rae:** The key question to the minister is this: This is a pattern across the province. The minister has her victim here. She has her conclusions on the wall with respect to the Cambridge Memorial Hospital. What is she going to do for the other hospitals—now over 90—that are still projecting a deficit, that are in discussion with the ministry and that feel the only way they can further reduce the deficit—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mrs. Caplan:** It is not often that I agree with my critic from the third party or with his approach, but today he said—and I agree with him—that we all have the same goals. We all want to have what we can afford in our communities in a well-managed, first-class health care system. I agree with that.

We have taken two approaches. One is to throw money at it and let the hospitals act independently and have the open-ended health care system the Leader of the Opposition (Mr. B. Rae) is suggesting. The other is to take our resources, make sure we use them as efficiently and as effectively as we can and work with the individual hospitals, the majority of which manage their budgets and work very closely with the ministry to provide excellent services to their community.

That is our approach, and I appeal for the support and the assistance of the Leader of the Opposition to manage the resources that we are given.

**Mr. B. Rae:** I say again to the minister, if she is waiting for support from us for reducing care to patients, whether it is in hospital, at home or anywhere in this province, she is going to be waiting for a very, very, very, very, very long time. It is simply not going to happen.

We have had discussions with some hospitals that have been prepared to come forward, some hospitals that, having given us information, then say: "Do not use our name because we will be punished by the minister and by the ministry. We will be singled out by the minister and the ministry in the same way that took place at Cambridge." This is precisely what we are told.

When it comes to the Northwestern General Hospital, it is planning to close 26 beds for the summer. They have told me specifically that the only way those beds can be opened up again in September is if the ministry is prepared to

increase funding to that hospital as per the very specific recommendations made by the Woods Gordon report, which calls for an increase in base funding for Northwestern hospital. The minister has to come clean. She cannot keep on punishing hospitals one by one, singling them out one by one.

**Mr. Speaker:** Question.

**Mr. B. Rae:** She has to tell us. Is she prepared to make sure that hospital beds stay open and that patients have access to health care services or is she determined to see that services are cut? Which is it?

**Hon. Mrs. Caplan:** What we know is that there are different levels of administrative expertise. The ministry will offer assistance to those hospitals that require administrative assistance, but the Leader of the Opposition is attempting to create the impression that somehow summer bed closures are new. In fact, every summer there are summer bed closures that coincide with staff holidays. There are also closures at Christmastime and at the March break that coincide with staff holiday time. They also close beds when they paint and when they renovate the facilities.

The Leader of the Opposition is attempting to create an impression which is clearly wrong. We are working with those hospitals to develop plans for managed budgets and balanced budgets. We have increased every hospital budget in this province.

**Mr. B. Rae:** If flipping things off from hospitals on to OHIP is her idea of efficiency, then I just do not understand what the minister is talking about.

#### TRADE WITH UNITED STATES

**Mr. B. Rae:** I would like to ask the Premier a question, if I might, on the question of free trade. I wonder if the Premier can tell us, is it the official view of the province that sections 6 and 9 of Bill C-130, which is now being debated in the House of Commons, represent an invasion of provincial jurisdiction. Yes or no?

**Hon. Mr. Peterson:** I will ask the Attorney General to give the member a legal answer to that question.

**Mr. Speaker:** It has been referred to the Attorney General.

**Hon. Mr. Scott:** If the honourable member looks at section 6, he will see that it is cast as a reservation of powers by the federal government. In other words, they do not assert any power;



they simply recite that they have reserved the powers they have under the Constitution.

If he looks at section 9 of the bill, he will find that it does not do anything at all. It simply indicates that the federal government may pass regulations at a subsequent stage of the process. It is in that context that the question has to be approached.

I think the answer is that if section 9 is the first utilization of reserve power, that will become apparent when the regulations are promulgated.

**Mr. B. Rae:** I know the Attorney General will recall, because of his own experience, that when the constitutional debate took place in 1980-81, several governments across Canada referred the resolution—before it was passed and before it became law federally, and indeed it was referred by the government of Canada—to the Supreme Court of Canada before it was passed by the House of Commons.

Does the Attorney General not think the government of Ontario could move a parallel reference to the one that was moved in 1981? Why can the government of Ontario not simply move this reference. I am proposing one to the Attorney General; it is along the lines of the reference that was moved in 1981 and it simply says this:

“If Bill C-130, An Act to implement the Free Trade Agreement Between Canada and the United States of America, is passed by the federal Parliament and becomes law, would federal-provincial relationships or the powers, rights or privileges granted or secured by the Constitution of Canada to the provinces and their legislatures be affected and, if so, in what respect or respects?”

That was the type of question referred to the Supreme Court of Canada in 1981. It was referred long before the constitutional resolution was passed by the House of Commons. If he is really opposed to this bill, if it casts a dark cloud and if it represents a “constitutional change,” to use the words of his own brief, if that is true, and that is what he really feels—

**Mr. Speaker:** Question.

**Mr. B. Rae:** —then why can he not move a reference similar to the one moved in 1981?

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**Hon. Mr. Scott:** If the honourable member had understood the answer I tried to give to the first question, it is, frankly, that there is no implication for power in the legislation as it stands without the regulations that are contemplated under section 9. But let me be more direct

with the honourable member and tell him, as I have tried to make plain to the questioners over the last couple of days, that we have done this audit, which is designed to measure potential impacts over the life of a free trade agreement, some of which may occur early in the agreement and some of which may occur at later stages of the agreement. I think that has been a useful and an unprecedented exercise in this country.

Now that we have the bill, perhaps the first of a series of free trade bills, which does not enact the free trade agreement but simply deals with some federal legislation and sections 6 and 9, we want to canvass very carefully all the options that are available to the province. I would be very glad to take under advisement the proposal that the honourable member has made.

**Mr. B. Rae:** This is the ultimate copout. When the government of Newfoundland objected to the Constitution in 1981, it did not examine all the options, it at least had the courage to go forward, as did the government of Manitoba—

**Hon. Mr. Scott:** That’s why it lost the case.

**Mr. B. Rae:** The Attorney General says it lost the case. That is not true.

**Hon. Mr. Scott:** It did, because it considered all the options.

**Mr. Speaker:** Order.

**Mr. B. Rae:** Since the Attorney General has heckled and said they lost the case, perhaps he should reflect on that and recognize that the Supreme Court of Canada said in 1981, with respect to conventions, that there are very important conventions that are quite separate from the legalities of the situation, that it was the provincial governments’ going forward that effected a further change in the Constitution and made it a far more consensual document than originally proposed by the government of Canada and supported by the government of Ontario. The Attorney General ought to know that before he makes such a cheap shot from his chair.

Again by way of question to the Attorney General tell us: If this legislation is an act to implement the free trade agreement between Canada and the United States; if it reserves certain powers to the federal government, which has been described by his leader as casting a dark cloud over Canada; if the document and the implementing legislation represent a constitutional change, to use the words of the Attorney General of Canada—

**Mr. Speaker:** Question, please.

**Mr. B. Rae:** —does he not share the view of the Supreme Court of Canada back in 1981 that if

the government of Canada is to make a constitutional change, either by the introduction of a Charter of Rights or by means of free trade legislation, that change should be accompanied by a serious constitutional discussion in this country and by amendments to the Constitution itself?

**Mr. Speaker:** Order. Attorney General.

**Hon. Mr. Scott:** I think I agree with the honourable member in at least one respect. I think there should be a serious discussion in the country about the potential impacts of free trade, not only for the federal government but for all provinces and for all our industries and consumers. I am proud to say I think our Premier, vilified in some quarters, no doubt, has led that exchange of views, and I am proud to be associated with him.

**Mr. D. S. Cooke:** It's all hot air.

**Hon. Mr. Scott:** If the member does not want to listen to the answer—

**Mr. Speaker:** New question.

**An hon. member:** It's an easy way out to say we don't want to listen.

**Hon. Mr. Scott:** I'm not going to waste my breath. You ask a question and then rant and rave.

**An hon. member:** We wouldn't want you to waste anything.

**Mr. Speaker:** Order. New question.

**Mr. Brandt:** Mr. Speaker, has this exchange been concluded? If they care to keep on speaking, I am quite prepared to give up the floor.

My question is for the Premier. The Premier will recall that in the most recent Ontario budget there was a section referring to the free trade agreement, which indicated as follows: "The government is opposed to the Canada-US trade deal." The document went on to say, "We expect the federal government to play a key role in providing special assistance to those who will be dislocated by these forces of change."

I would like to compare that, if I might, to the recent Quebec budget. There are numerous references in the Quebec budget relative to the free trade agreement. What it says in that budget, contrary to the words of the Treasurer in the Ontario budget, is that this agreement opens up enormous possibilities for Quebec firms. Such companies must take advantage of this challenge. The government intends to adopt all the means at its disposal to enable Quebec to derive the maximum benefit from free trade.

Since the Premier does not intend to fight the free trade deal on the basis of the answers to questions we have received in this House, why would the government of Ontario not prepare for the deal and take the lead that has been established by Quebec in trying to maximize the benefits to the workers and to the industries of the people of Ontario?

**Hon. Mr. Peterson:** I note that my honourable friend has a number of premises in his question that are absolutely false and incorrect. That being said, this government has been preparing this province to be competitive globally for the last two or three years. I do not know where my honourable friend has been, very frankly, when he looks at the things we have done with the centres of excellence, with the technology fund announced, with the things in the budget and with the assistance for research and development personnel. I do not want to be unkind, but where has he been? We are two or three years ahead of my honourable friend.

**Mr. Brandt:** I would only add, with respect to the comments made by the Premier, that he certainly is not three years ahead of our party when we have called upon him and his government to provide assistance that is required in the case of the wine industry and the grape industry in the Niagara area and where he completely shuffled that off as being of no importance whatever to the industry in that area. He completely passed that aside as though it were of no importance and paid it no heed, recognizing full well that it is one of the industries that has been very clearly identified as being in need in this province of some form of adjustment assistance.

In light of the fact that in the Quebec budget they have clearly identified that there are some areas where workers and industries will require some assistance and some period of adjustment, and recognize the benefits of the deal as well, while the Premier has consistently bad-mouthed the deal and indicated how negatively he feels about it and has indicated no specific action whatever on how Ontario can prosper under this particular trade arrangement—

**Mr. Speaker:** Question?

**Mr. Brandt:** —what is the Premier prepared to do?

**Hon. Mr. Peterson:** The honourable member asked the same question in not quite as articulate a way as he did the very first time. Where has he been? We have been working on the competitiveness of this province in a variety of different



ways—be it in capital formation, deregulation or the financial industry—to turn us into global players, all over the objections of some. We have been working with the wine industry, and I can tell him those are problems, frankly, that his government, if anybody, created and we had to deal with those problems.

Because of commitments given by his government to other governments that were unilaterally broken, Ontario had a credibility problem with some of these international players and that is one of the reasons these things came on. My honourable friend would know that and my honourable friend, as a former minister of the crown, would know that because everybody else knows it.

He is not recognizing or not understanding what is going on in this province. We believe Ontario has a role to be globally competitive, and the globe, to the best of my knowledge, still includes the United States. We are in the United States, we are enjoying a massive trade surplus there and we will continue to trade there; but we do believe this deal is not in the national interest. We believe we got nothing out of this deal but we gave a great number of levers that we have to control our own economy. We believe we have brought the Americans to the table and they are going to be sitting watching over our shoulder every single decision we make in this country.

My honourable friend has not read the deal. He does not understand what is at stake here. If he would go beyond the baloney and the rhetoric handed to him by his federal kissing cousins, I would say my friend would come to the same view we have on this matter.

**Mr. Brandt:** The Premier can indicate that he is the only one who has the grasp of this document, but I tell him with the greatest of respect that he walks virtually alone in Canada with his position, because eight out of 10 premiers in this great country of ours have agreed that his position is wrong. He talks about competitiveness. When the Premier raises the issue of competitiveness, it is interesting to note that the government of Quebec, in recognizing the need to be competitive in an environment in which Canada and the United States are going to enter into a trade pact, lowered its taxes in the last provincial budget.

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Now, as the Treasurer (Mr. R. F. Nixon) sits beside the Premier, I want to ask how in the world, in any kind of economic analysis that he might want to take, does the largest tax grab in

the history of this province put Ontario in a more competitive position? That is absolute nonsense.

**Hon. Mr. Peterson:** My honourable friend gets wound up in his own rhetoric, but since he is talking about tax grabs, 1981 was a bigger tax grab, proportionally, and he used to stand up and—

**Mr. Brandt:** It is not rhetoric. It is fact.

**Hon. R. F. Nixon:** My honourable friend does not understand growth and economies, but I do not want to disagree with my friend, except to say he is right that Quebec lowered its taxes and our taxes are still substantially lower than Quebec's.

I say to my friend I do not want to stand up here and gloat and try to take credit for something. We tend to be a modest government, but this economy in Ontario is enjoying the highest growth in the industrialized world today. Since my friend is so anxious to blame us for all the problems that are here, he may want to stand up and give this government credit for economic leadership and say that this Treasurer understands the future and is preparing for it, as he has in this last budget.

Interjections.

**Mr. Speaker:** Order, order.

**Mr. Brandt:** My question is to the Minister of Health (Mrs. Caplan) and I would just like to say to her that the only reason Ontario has the lowest taxes of any province in the entire country, and has taxes which are significantly lower than those of Quebec, is 42 years of Conservative government.

That is the only reason. The government started with the lower tax rates it continues—

**Mr. Speaker:** Thank you.

Interjections.

**Mr. Speaker:** Order, order.

**Mr. Brandt:** The government cannot tell me it has lowered taxes. They will be thrown out of the—

Interjections.

**Mr. Speaker:** Order, order. New question.

#### HOSPITAL SERVICES

**Mr. Brandt:** I would like to point out to the Minister of Health that Riverside Hospital of Ottawa has an unapproved program in which it performs medically legal autopsies. The costs of those particular autopsies, I believe, is about \$400 per autopsy and they perform about 250 a year.

The Ministry of the Solicitor General (Mrs. Smith), through the coroner's office, pays some

\$50 of that \$400. To meet its deficit, it is going to have to stop doing that particular service. The chief coroner has said that they will, as a result of that, quadruple existing costs and the difference in the cost will have to be made up by the taxpayers of this province.

To satisfy the minister's demand for a balanced budget in that particular hospital, Riverside will refuse to do any further autopsies and that will cost the taxpayers of this province an additional \$300,000 a year. Does that make sense to the minister in terms of good management; good administration; well-planned, well-managed hospitals, and well-managed provincial dollars?

**Hon. Mrs. Caplan:** The leader of the third party raises a very good point. As he knows, Riverside Hospital is one of the 22 which are under review. We are working with the hospitals individually to determine a number of things. One is where there are unapproved programs. Secondly, where, in the ministry's view, there were needed programs in the community and the ministry has not appropriately responded—or a program that we approved that we did not appropriately fund—we would make those kinds of adjustments.

This is part of our plan. We are working closely with the hospitals and the leader of the third party points out one hospital which we are reviewing at the present time.

**Mr. Brandt:** Just so the minister will not think it is an isolated case, I will give her a second hospital. The concern that I have got is that she is not making the adjustments that I am pointing out to her.

St. Joseph's Hospital in Sarnia has an unapproved, unfunded program where it performs lab services for the doctors in that area at a cost of some \$60,000 annually. To meet the minister's requirement of a balanced budget, it has been advised to cut this service. The Ontario health insurance plan will now pay for that particular service, quite legal and approved—in fact, not even requiring her approval—at an annual cost of some \$382,700.

Does it make sense to her that a program which she is going to cut, on the one hand, in the amount of \$60,000, is going to cost close to \$400,000, on the other hand, and that additional cost is going to be borne by the taxpayers of this province? Does that make good management and good administrative sense to her?

**Hon. Mrs. Caplan:** It makes good management sense to me that the ministry approve before hospitals spend. That is what we are talking

about. Where we find, on the one hand, that the ministry has approved programs or has not acknowledged needs in the community, we are working with those hospitals to do that. Where, on the other hand, we find that hospitals have expanded services without ministry approval, we are working to bring those services in line with ministry approval.

The message is that we want the hospitals to work very closely with us because we all have the same goal; that is, quality of care and good management.

**Mr. Brandt:** I fail to differ with the minister on this particular point.

[Applause]

**Mr. Brandt:** I must differ with the minister on this point, I should say.

[Applause]

**Mr. Speaker:** Order.

**Mr. Brandt:** Let me make it clear, in case there is some misunderstanding, I must differ with the minister on this point. Are members not going to applaud that?

Interjections.

**Mr. Speaker:** Order. It is difficult to hear. Final supplementary, please.

**Mr. Brandt:** Those two programs alone are going to cost the taxpayers some additional \$600,000 in two hospitals as a result of not being able to get funding approval from the minister and her staff. Those hospitals recognize, as do the 222 hospitals across this province, that as a result of the delays in the ministry approval it takes about two years for them to get approvals for many of the programs they wish to introduce.

Does it make sense to the minister that for that kind of lengthy delay in the approval process, recognizing that in the hundreds of cases that we could bring to her attention of similar problems across the province, the cost will add up to literally millions of dollars in unnecessary payments by the government of Ontario?

**Hon. Mrs. Caplan:** We know that one of the causes of those delays has been the practice in the past, and I am hearing that from the good managers who bring in balanced budgets and want to work with the ministry. Picking up deficits across the board does not give any incentive for good management and in fact jeopardizes the whole planning process. We are saying to the hospitals: "Work with us. There are lots of problems. We know there are problems. It is going to take us some time to resolve all of those problems."



We are saying that if we work with them on an individual basis, we can provide them with the administrative assistance they may need. We know that we can address those problems and those issues, which will lead to fair funding for hospitals and balanced budgets. We believe that quality of care, which is so important to the people of this province, and good management go hand in hand. The way to get that is by working with the ministry, because we all have the same goal.

#### TRADE WITH UNITED STATES

**Mr. Mackenzie:** I have a question for the Premier. Given the strength of his words earlier today, is he prepared to level with the people of Ontario on the free trade issue, which is of real concern to our citizens? Will the Premier tell the people the truth as to what he is prepared to do to see that the sellout of Canadian workers and Canadian sovereignty is not allowed to happen through this current free trade agreement?

**Hon. Mr. Peterson:** Yes.

**Mr. Mackenzie:** The Premier may think that is a smart response.

Interjections.

**Mr. Speaker:** Order.

**Mr. Mackenzie:** Why should the people of Ontario believe the Premier and his government when they will not outline any specific steps to oppose the sellout and when they have backed off or repudiated almost every bottom-line argument that they used to buy votes in the last election? Is it because they have no idea of what line they will take or because they have no intention of really fighting this agreement down to the wire?

**Hon. Mr. Peterson:** It may not be clear to my friend opposite, but I think it is clear to everyone else. I think the Attorney General (Mr. Scott) pointed out some of the legal problems. There are a number of legal aspects to this deal and all are being canvassed at this moment.

We stand unequivocally opposed to this deal. We do not believe it is in the national interest. We believe that we have achieved nothing and we gave away a great deal as a country, so it is being analysed from a legal point of view and we will share our approach with the member at the appropriate time.

#### SCHOOL FUNDING

**Mr. Sterling:** I have a question of the Minister of Education. On April 29, I asked for information under the Freedom of Information and Protection of Privacy Act relating to the capital

allocations made to school boards across the province. Why has the minister refused me this information?

**Hon. Mr. Ward:** No information has been refused.

**Mr. Sterling:** Under the act, if the minister would care to read the act, if there is no response to a member of the public within 30 days, that is deemed to be a refusal under the legislation. I, along with 100 other people in the province, have now been either refused access or given access which is not adequate.

My last request of the Minister of Community and Social Services (Mr. Sweeney) took 80 days to get a verbal response and I let that one go by. I have no alternative in this case but to appeal this refusal to the Information and Privacy Commissioner so that I can get some action for a change.

If the government reacts this way to an elected member of this Legislature, how does it expect the rest of the public to believe it is serious about freedom of information?

**Hon. Mr. Ward:** I will repeat for the member that no specific information relative to the capital allocation process has been denied to the member. In fact, I will indicate to the member here and now, in response to his request that he be provided with the specific criteria used in making determinations as to capital projects, that I would be happy to make available to the member or to any other member, to any of the opposition caucuses, whatever staff they require from my ministry to run through with them the process that is utilized in the capital allocation process, and I am happy to do that at any time.

**Mr. Speaker:** New question, the member for St. Catharines-Brock (Mr. Dietsch).

**Mr. Sterling:** On a point of privilege, Mr. Speaker: I made a specific request in writing, as required under the act. The minister—

**Mr. Speaker:** Order. The member asked a question and a supplementary, and a response was made.

#### NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr. Dietsch:** My question is to the Minister of Colleges and Universities. There has been much discussion in my riding and in the press about the financial situation and the possibility of program cuts at Niagara College.

Could the minister inform me and this House as to the current status of the budget preparation for Niagara College for the next academic year?



**Hon. Mrs. McLeod:** I appreciate the fact that the honourable member is concerned about the status of Niagara College and I know his concern is shared by other members from the area, so I am happy to respond to that question of status.

I know the honourable member is well aware of some of the difficult realities which Niagara has been coping with, including a 10 per cent reduction in its enrolment and including a 50 per cent cutback in direct purchases for the federal skills training program. As a result of those specific difficulties, the Niagara College board of governors did prepare an initial budget, and that budget was an attempt to deal with the deficit situation it was facing.

Because that budget required staff cutbacks in excess of some five per cent of the staff, it triggered the declaration of a financial exigency. This is a requirement that the ministry has. During this period of time they have sought the suggestions and comments of the faculty at Niagara College, of the students and of the community generally. This process has taken place.

The Niagara board of governors and its executive committee will now be reviewing the recommendations that have been made, as well as suggestions, and I hope helpful suggestions, that have been made by ministry staff which has been in close consultation with Niagara. We expect them to have prepared a revised budget within the next week to two weeks, and that will be shared with the ministry.

**Mr. Dietsch:** I realize that the final decision regarding the financial plan of Niagara College is a decision of the college board of governors, but could the minister please indicate how the college is required to account to the Ministry of Colleges and Universities?

**Hon. Mrs. McLeod:** There is and always has been, of course, a requirement that there would be regular external audits carried out at least once a year, and this is a basic method of accountability. It may be of interest as well that we have recently, within the last year, instituted two other methods by which we both become more aware of the colleges' planning processes and concerns and also have a process by which the colleges are accountable.

One of these is an annual report on the part of the college to the minister. Those reports are very carefully analysed and responded to individually. The other is that we do ask each of the colleges to carry out an operational review and every area of the college operation has to be reviewed every three years. Essentially, the

operational reviews are going on on a continuous basis, with one third of the college's operations being reviewed every year. We believe this is a method by which we can effectively look at the management and the planning processes for the colleges.

**Mr. B. Rae:** I also have some questions for the minister about the same subject of Niagara College, which I visited on Friday and spoke both to the board and the faculty about the situation.

The minister will be aware that there are seven courses which are being proposed by the board to be cancelled, including the bilingual secretary course, the theatre arts course, the dental hygiene course, college vocational, mechanical technician, library technician and survey technician courses.

The minister will be aware, I know, that there is a procedure which her ministry requires be followed very specifically by institutions when they are going to cancel courses. There are students who are lined up. There are 400 students lined up for the dental hygiene course. There are nearly 100 students lined up for the theatre arts course, one of the few in Canada providing technical training for students in the theatre field.

I would like to ask the minister whether the college complied with her requirements before issuing a cancellation notice. Can the minister assure us that these programs, which are fully booked in terms of students, which are indeed oversubscribed in terms of students, which fulfil an important community need and indeed a national need, will not be cancelled by the college pursuant to the cutbacks in funding from the province?

**Hon. Mrs. McLeod:** I can certainly assure the member that the college has complied with all the requirements of the ministry. The college board of governors and its administration have been in very close consultation with the ministry from the time they became aware of the kinds of adjustments they were going to have to make in their budget and the implications that would have.

As I have just indicated in the earlier question, they have been in the process of having notified the college community of the proposals in the original budget. They have been seeking the input from the college faculty and students. They are now reviewing that and they will be presenting their final proposals to the ministry within a very short period of time.

I certainly cannot make assurances in regard to the specific course proposals because that will be



a part of the college board of governors' recommendations.

**Mr. Swart:** The minister knows very well that unless there are funding changes made there are going to be cutbacks in programs at Niagara College. That is true of many colleges throughout this province, particularly those in the slow-growth areas.

The minister knows this means that options available to students will be reduced. She knows it means that students will have to go elsewhere and those who cannot afford it will, in fact, be drop-outs from Niagara College. I simply want to ask the minister about the bottom line. Is she prepared to see these young people go without the training that would ensure jobs for them?

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**Hon. Mrs. McLeod:** The honourable member has referred to something called slow-growth areas. I think that tends to neglect the reality of the declining enrolment situation which Niagara College has been experiencing over the past four years. It has had a decline in its enrolment of some 10 per cent. We do expect all the colleges to adjust their budgets in relationship to changes in enrolment. I have given the House many indications of the process by which we do that.

I would like to take a moment to reference the fact that the honourable member is asking about the process of some degree of rationalization of courses among the colleges. The fact is that the colleges over a period of time have evolved some very specialized courses which we would not intend to offer in every college across the province.

We have asked the Council of Regents, our advisory body, to make some recommendations to us on the whole process of concentration of courses in the colleges. I anticipate in the future there will be no question that the primary mandate of the colleges will be to respond to their particular communities and the needs of their students and that colleges will continue to do that, as Niagara is currently doing.

#### MINISTRY ADMINISTRATIVE COSTS

**Mrs. Marland:** My question is for the Minister of the Environment. Over the last three years, his ministry's administrative costs have increased by 65 per cent, while total spending on the environment has increased by only half as much. Also, for the last two years, the minister has consistently underspent his budget allocations on capital projects such as water and sewer infrastructure, beaches cleanup and waste management facilities.

Why is the Ministry of the Environment's spending on sharpening pencils and pushing paper climbing at a faster rate than its overall spending on cleaning up the environment?

**Hon. Mr. Bradley:** I think any objective observer in Ontario or probably anywhere in this country who has observed the performance of the Ministry of the Environment prior to this government and now would come to the conclusion that there is far more happening to provide improvement to the environment in Ontario than has ever happened before.

One of the things the Premier wanted to ensure when the new government took office was that the Ministry of the Environment would receive the kind of treatment it deserves; in other words, it would be elevated in terms of its priority. That has certainly happened since the new government has taken office.

The member mentioned that the expenditures have gone up. They have gone up substantially in terms of actual dollars, if one looks at the actual dollars. The member can play around with percentages all she wants, one little corner here and one little corner there. In terms of actual dollars and cents spent on cleaning up the environment, there has been a substantial increase in the money devoted specifically to cleaning up the environment in Ontario.

**Mrs. Marland:** I would like the minister to listen very carefully to this question because I am not talking about his programs. I am talking about the administrative costs of running his office. I am talking about supplies, equipment and personnel. I am talking about what it costs to run his offices and the fact that those dollars are up so much, whereas his own capital allocation was not spent.

Since he did not answer my question the first time, I would appreciate his answering the question now. Why have his administrative costs accelerated at double the rate of his overall costs to protect the environment? Where is his priority?

**Hon. Mr. Bradley:** The member again wants to pick out specific areas where she is going to look at percentages. I am going to tell her, for one thing, as she knows, in her own office probably, as a member of the opposition she is computerizing. Members of the Legislature are computerizing.

**Mr. D. S. Cooke:** That is not true.

**Mr. Harris:** No, we are not. That has been cancelled.

**Hon. Mr. Bradley:** Well, it is. It is in the members' own offices, and they know it.

The member wants things to be as efficient as possible. To be efficient, we must make an investment in the computerization program right across the government, including members of the opposition.

The member talked about actual dollars. She is going to play with these little figures. When I was in opposition, I did the same thing, so I cannot blame her for this.

Interjections.

**Mr. Speaker:** Perhaps the minister would disregard the interjections. I know all members know interjections are out of order. Address your comments to the response.

**Hon. Mr. Bradley:** I used to do this all the time when I was in the opposition, to pick all these out.

The member wants an answer to this. If she looks most particularly at the actual dollars spent—not throwing out a percentage here, there and everywhere else—she will find out in the Ministry of the Environment that the tremendous increase in the actual dollars spent, the amount of money spent, has come in direct delivery of services to the environment.

If the member wants us to be living in the 19th century in terms of computerization and so on, when members of the opposition and all members of the House are involved in computerization, I do not think the people—

**Mr. Speaker:** Thank you very much.

#### WILDLIFE MANAGEMENT

**Mr. Daigeler:** My question is to the Minister of Natural Resources. A couple of weeks ago, I received a rather interesting letter from a young student in my area. It reads as follows:

"In school, we have been talking about poaching. We say that people from the USA are coming here to Canada to kill our animals because there, punishment is very strict, but ours is not strict at all.

"I have written to Mr. Mulroney already, but he did not do anything but write me a letter. Please talk to Mr. Mulroney for me. I want there to be animals when my children and grandchildren grow up."

Since Mr. Mulroney was not available, I thought I should talk to the Minister of Natural Resources instead.

**Mr. Speaker:** Question?

**Mr. Daigeler:** Could the minister inform this House whether there is a problem with poaching

by people from other countries and how he is enforcing the law at the present time?

**Hon. Mr. Kerrio:** When I hear Mr. Mulroney's name connected with poaching, it gives me a great opening, but I will not take advantage.

The fact of the matter is that I feel, as the Minister of the Environment (Mr. Bradley) does, that we have now finally decided that we are going to protect wildlife and all the resources in Ontario like never before.

If I had a message to deliver to that young person, I would say to her that it is very disturbing that there are people who would take advantage of our resources and not be law-abiding and do what has to be done within the regulations.

We have some 241 conservation officers and some 500 deputy conservation officers. We have very recently charged a group that was hunting moose out of Vermilion Bay with aircraft a \$24,000 fine, the highest fine ever on the North American continent. We subsequently charged them some \$16,000 in connection with other areas that have just as much impact on our resources as the first one and impounded their three aircraft.

I would like the message to go back to that young individual that if Mr. Mulroney is doing nothing about it, Ontario is doing a great deal about it, like never before.

**Mr. Daigeler:** I am certainly very pleased the minister has taken action, but in this context I would still like to ask whether he feels he has sufficient legal authority at hand. The student is referring to strict laws that apparently are in place in the United States. Does the minister feel our legislation, our regulations, are strict enough or is he pursuing further changes to the legislation presently in place?

**Hon. Mr. Kerrio:** I think the public is not aware of some of the things that are happening. We charged some 15,000 offenders last year and I think we had about 7,000 convictions.

In addition to that, I think the thing that is going to protect the resource more than anything else—and our young people should share this with us—is our community fisheries involvement program and our community wildlife involvement program, where we encourage the general public to participate in helping to manage our resource and to begin to feel that they are a part of it because they put time and money into it. They are going to help us police the poaching that goes on and reduce it, I think, because there will be a very personal interest in some of the things that are happening with the fishing and hunting clubs



and generally with citizens across this province who take advantage of a very good program of community involvement.

When our people begin to realize that the resource belongs to all of us, I think they will be very helpful in weeding out those people who would poach and take from the resource—

1500

**Mr. Speaker:** Order. New question.

#### NATIONAL SALES TAX

**Mr. Laughren:** I have a question for the Treasurer concerning a speech he made last Thursday to the Canadian Manufacturers' Association. He was quoted as saying he thinks the idea of a national sales tax is a fair tax, it is up front, it is democratic and people know where it comes from.

I wonder if the Treasurer understands that the national sales tax is so fair, so democratic and so up front that the federal Tories are waiting till after the next federal election before they bring in that aspect of tax reform. Can the Treasurer tell us why he is such a willing handmaiden to the federal Conservatives in this gross deception of the Canadian people?

**Hon. R. F. Nixon:** As I recall the actual words spoken, I was referring to our own sales tax and why I was not anxious to go into a national sales tax situation.

Interjection.

**Hon. R. F. Nixon:** I have not even read what the member is reading. I said our own tax is democratic, up front and actually quite productive, so I am not looking for an alternative particularly. But I said the initiative taken by the government of Canada is one we would have to consider seriously because it would be of advantage to the manufacturers who had brought it to me in their brief before the budget. I wanted to respond to the brief they had presented to me, in which they indicated their interest in tax reform, particularly phase 2. I thought it was only natural that I respond to that, as I was their guest under those circumstances.

**Mr. Laughren:** Perhaps the Treasurer could be more specific as to what his views on a national sales tax are and to what extent he feels the province would co-operate in such a regime. More specifically, can the Treasurer tell us whether he believes a national sales tax is more or less progressive than the income tax, which is the base of most of our tax collection now?

**Hon. R. F. Nixon:** It is obviously less progressive, but it would be up to the provinces

participating—just as it is now, for provinces which have sales tax—to remove as much of the regressivity as possible by using the imaginative alternatives which are so constructively at work in this province to mitigate the bad effects of the sales tax we have.

#### LABOUR DISPUTE

**Mr. McLean:** My question is for the Minister of Community and Social Services. The minister is no doubt aware that 55 employees of Catulpa-Tamarack Child and Family Services in Orillia have been negotiating a contract for approximately two years. An earlier contract offer was withdrawn by management after it had already been ratified by these employees, who serve more than 600 clients. Since that time, the situation deteriorated to the point where these workers walked off the job at 7:30 a.m. today. This facility is 95 per cent funded by the minister's government. I would like to know if he will intervene to see that a contract is negotiated which will be acceptable to all of the parties involved in this dispute.

**Hon. Mr. Sweeney:** The last I heard was that the request for an increase was in the neighbourhood of about 25 per cent. I can clearly say to the member, as we have indicated to the agency, that we cannot afford to give them extra money to pay that kind of increase. We have indicated to them that we are prepared to give them an increase similar to what we do others, which is basically the cost of living. In the meantime, we are co-operating with the agency to see to it that their clients are looked after.

**Mr. McLean:** The minister will be well aware that the employees there are well below the pay scale of most others in the same category who do the same work in other areas of his ministry. Why will the minister not pay these workers the same amount that is paid in the Huronia Regional Centre and other institutions across the province? Why is it that they are funded so much below what the others are?

**Hon. Mr. Sweeney:** There is a differential between what community agencies are paying their staff and what the ministry pays its staff in institutions. That is all across the province; that is not just in this particular agency. The honourable member will be aware of the fact that we are presently initiating a program to provide additional services, particularly to the developmentally handicapped, in all communities across the province.

We have just this past year crossed the boundary line whereby we are spending more

dollars in community services than we are in institutional services. That will increase. As we move an increasing number of people out of institutions and back into the community, we are at the same time drawing the two wage scales closer and closer together, but this cannot happen in one year of negotiation. It is just not possible.

#### NATURAL GAS SUPPLY

**Mr. South:** I have a question for the Minister of Energy. The National Energy Board has recently approved a gas pipeline extension which will allow the export of 50 million cubic feet of western Canada gas to Rhode Island. There is also pending an additional large-scale request from four other New England states for similar extension into the New England states.

In view of this, in view of the increasing energy demand in this province and in view of the fact that gas would be a good source of energy for generating this electrical energy, is there any move on the part of his ministry to secure western Canada gas for Ontario?

**Hon. Mr. Wong:** I would like to thank the honourable member for that question. Long-term natural-gas-supply security is very important to Ontario.

Ontario is not in the business of purchasing natural gas directly for specific end users, but we are taking steps to protect the interests of all Ontario natural gas customers. One specific action which the government took recently was to refer the whole matter of natural gas supply to the Ontario Energy Board for full examination.

Ontario recognizes that supply security is dependent upon a healthy, producing industry. That means that natural gas producers must receive a fair price in order that they can develop new supplies. Since the beginning of natural gas deregulation, the government has been working with industry, the federal government and other provincial governments in order to work towards the enhancement of market access for both producers and consumers.

Last, let me say that we have been active as an intervener before the National Energy Board, specifically with reference to the review of export licence applications, and we will continue to do so.

**Mr. South:** Is there sufficient gas pipeline capacity to move a reasonable amount of western Canada gas to fuel a large-scale thermal-electrical generating station?

**Hon. Mr. Wong:** The adequacy of existing pipeline capacity to supply natural gas to an Ontario electrical generating station can only be

determined when we know the scope of such a proposal, when this is made available. Upon a customer's long-term, firm natural gas requirements, TransCanada PipeLines would determine whether it has sufficient facilities in place or not. If not, then it makes an application before the NEB.

In the interests of trying to make sure that adequate facilities are in place for the proper projects, we certainly would be an active intervener.

#### ONTARIO PLACE CORP.

**Ms. Bryden:** I have a question for the Minister without Portfolio responsible for senior citizens' affairs.

We have recently been made aware of the declining attendance and growing deficits at Ontario Place, but it seems shocking that the government and Ontario Place are attempting to overcome the apparent mismanagement of this provincial showplace on the backs of seniors, almost half of whom live below the poverty line. I understand that the recent admission-rate increases announced in an ad in the Toronto Star, May 14, include removing free admission for seniors on all days except Wednesdays and charging them \$3 a day on other days.

I would like to ask the minister if she was consulted by the Minister of Tourism and Recreation (Mr. O'Neil) or by the Ontario Place management when this incredible change was announced in an ad entitled "Ontario Incredible—Old-Fashioned Prices." Does she think this is the way to meet seniors' recreational and cultural needs?

**Mr. Speaker:** Order. The question has been asked.

1510

**Hon. Mrs. Wilson:** The admissions to attractions around the province are certainly something the Office Responsible for Senior Citizens Affairs has been actively involved in discussing with other ministries concerned. I have also recently met with a number of senior citizens' groups, including the United Senior Citizens of Ontario and the advisory council to the minister, and have asked them for their opinions about the increase in fees.

Currently at Ontario Place, seniors are charged half the regular fee and have Wednesdays as a day when no admission is charged to them. Interestingly, the seniors' groups were quite in agreement with the decision made by Ontario Place with regard to fees, and I just pass that along to the member.



**Mr. Speaker:** That completes the allotted time for oral questions.

#### TABLING OF INFORMATION

**Mr. Wildman:** On a point of order, Mr. Speaker.

**Mr. Speaker:** On a point of order, the member for Algoma.

**Hon. R. F. Nixon:** There is nothing out of order.

**Mr. Wildman:** Yes, there is indeed. I rise with regard to standing order 88(d).

Interjections.

**Mr. Speaker:** Order. If the members would allow it, I would like to hear the point of order. The member for Algoma.

**Mr. Wildman:** On May 12, 1988, I tabled a question for Orders and Notices. It is question 137. The question was, "Would the Chairman of Management Board of Cabinet provide the House with a complete list of all studies, or study drafts, prepared by each ministry concerning the possible effects, in Ontario, of the implementation of the free trade deal between Canada and the United States?"

According to rule 88(d), "The minister shall answer such written questions within 14 days unless he indicates that he requires more time because the answer will be costly or time-consuming or that he declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that the minister has made an interim answer, the approximate date that the information will be available, or that he has declined to answer, as the case may be."

Mr. Speaker, I think you will find that there has been no indication from the Chairman of the Management Board (Mr. Elston), or any other member of the Treasury bench either, that they intend not to answer this question, that they cannot currently answer the question or that they intend to answer at some future date. In that case, I believe the government does not obey the orders of the Legislature.

**Mr. Speaker:** Thank you. The honourable member makes an interesting point and possibly a good point. Does the Chairman of the Management Board wish to make any comment on that?

**Hon. Mr. Elston:** I have always tried to abide by the rules of the House, and I am glad the honourable gentleman brought this to my attention. Certainly, May 12, as he indicated, was when he tabled the question. I see that we are out

of time by four or five days, and I will look into the reason why we are four or five days tardy in getting it together. It may have been that we have made some inquiries to see how long it will take us to reply.

We do try to make every effort to reply at least on an interim basis and in one case indicated that the activity was so much involved that it would be almost impossible without donating too many resources to it. But I will, in fact, take the notice and get back to the honourable gentleman and to the House to report.

**Mr. Speaker:** Thank you.

#### PETITIONS

##### RETAIL STORE HOURS

**Mr. Beer:** I have two petitions to present today. The first is signed by 259 persons and reads:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

##### TEACHERS' SUPERANNUATION FUND

**Mr. Beer:** The second petition I have to present is signed by 62 members of the teaching staff of Huron Heights Secondary School in Newmarket. It is addressed to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario and it states:

"We, the undersigned, teachers of Huron Heights Secondary School oppose the decision to merge the teachers' superannuation fund and the superannuation adjustment fund and request that the Minister of Education meet with representatives from the teachers' federation to discuss this issue."

I have signed both of these.

#### CONFIDENTIALITY OF MEDICAL RECORDS

**Mr. B. Rae:** I have a petition signed by several thousand individuals which reads as follows:

"We, the undersigned, the working people of the province of Ontario, insist that subsection 77(3) of the Workers' Compensation Act, which reads,

"Where there is an issue in dispute, upon request, the board shall grant the employer access to copies of only those records of the board that the board considers to be relevant to

the issue or issues in dispute and the board shall provide like access and copies to a representative of the employer upon presentation of written authorization for that purpose, signed by the employer,'

"be replaced with the following,

"'Where there is an issue in dispute, upon request, the board shall contact the worker and, upon his or her consent, copies of the medical information that the board considers to be relevant to the issue or issues in dispute shall be released to the employer and the worker's representative.'"

This is a very important issue of confidentiality of medical information and the use to which that information is put by the insurance industry.

#### RETAIL STORE HOURS

**Mr. Brandt:** I have a petition here, signed by approximately 100 residents of the Sarnia area, on behalf of the Redeemer Christian Reform Church. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario and it reads:

"We, the undersigned, appreciate the fact that the government of Ontario will be holding public hearings regarding the issues of Sunday shopping and store openings and public holidays. We request that these hearings be held in centres throughout the province, including Sarnia."

#### HOSPITAL SERVICES

**Mr. Farnan:** I have a petition from concerned citizens of Cambridge with regard to the pathology and audiology services at the Cambridge Memorial Hospital and in the region of Waterloo. It is addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We wish to express our grave concern regarding the painfully inadequate speech-language pathology and audiology services available to adults in Cambridge and the Waterloo region.

"We are concerned for stroke survivors with limited communication who are condemned to a life of social isolation; for stutterers, many ashamed and unfulfilled, who struggle to cope with life, handicapped by the ball and chain of their fluency problem; for those whose chronic laryngitis limits their employment options and career goals; for cancer patients, totally without speech after losing their voice-box to disease; for those with progressive disease who must witness

the steady erosion of their communication skills without supportive therapy to ease the way; for the elderly hearing-impaired, more and more isolated and withdrawn as hearing loss prevents interaction with family and society.

"We strongly urge the Minister of Health to review the speech pathology and audiology proposals submitted by Cambridge Memorial Hospital and the region of Waterloo to improve the availability of this important health service."

This petition has been signed by 342 individuals. I have attached my name and am happy to support the petition.

#### RETAIL STORE HOURS

**Mr. McLean:** "Please be aware of the wishes of concerned persons in regard to the question of Sunday opening which is being debated at this time. Enclosed find copies of petitions from the Coldwater United Church of Canada."

The petition reads:

"Living in a resort area, we are aware of the necessity of certain businesses being open on Sunday. However, we feel that businesses that are not selling the necessities of life, and industry in general, should be closed on Sunday.

"We, the undersigned, strongly urge the government of Ontario to take on the responsibility and have Sunday closing enforced. Sunday is the Sabbath and has been kept the traditional day of rest and should be kept for the betterment of the family unit and community."

**Mr. Wildman:** I have a petition signed by 32 residents of Ontario. It reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

I want to point out that there is a split infinitive in that. I have affixed my name to it and I support the petition.

1520

**Mr. Cousens:** I am pleased to present this petition. I wish I did not have to, because it is a subject I really am not happy with. None the less, there are over 250 signatures from Richmond Hill in the riding of York Centre.



"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario. We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

It is so submitted and signed by myself.

**Mr. J. B. Nixon:** I have a petition signed by 64 members of the Armour Heights Presbyterian Church. It reads:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We, the undersigned, wish to express our opposition to changes in Sunday shopping laws which threaten to transform Sunday into just another day for doing business."

**Mr. Charlton:** I have a petition from two residents of Ancaster.

**Mr. Black:** Two?

**Mr. Charlton:** "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows."

**Mr. Jackson:** Why didn't you get them to call?

**Mr. Sterling:** Is that your riding association?

**Mr. Charlton:** Do the members think these petitioners are less important than the hundreds?

**Mr. Speaker:** The petition?

**Mr. Charlton:** It reads in part:

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

I have added my name to this petition and I support it.

#### FRENCH-LANGUAGE SERVICES

**Mr. Jackson:** I have a petition addressed "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario."

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We ask the government to consider the views of the citizens who have signed letters which read in part as follows:

"I am sure you are familiar with the French Language Services Act, Bill 8. I have many concerns regarding the implementation of this act. This act discriminates against 95 per cent of Ontario's citizens who are English-speaking.

"Please let me give you an example of what I mean by quoting to you from an OPP career advertisement. This ad recently appeared in a local newspaper. In part, this ad stated:

"If you are fluent in both French and English, the Ontario Provincial Police offers you a change, a challenge and a career in one of its exciting duty categories—highway, air and water patrol, criminal investigation, forensic science and other interesting and demanding responsibilities."

"This ad discriminates against the vast majority of Ontario residents who can only speak English."

That is signed by some 30 residents of the communities of Englehart and Timmins.

#### NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr. Swart:** I have a petition here signed by 315 people. I have added my signature to it. It reads as follows:

"We, the Niagara College community, oppose the threatened closure of programs under option 3 presented to the college board of governors by the president's executive council.

"We urge the board of governors to question every facet of the college's operation and to adopt more creative solutions to address our college's financial and leadership ills.

"There is a need for the college to reaffirm its commitment to its external community, its employees and, most importantly, to the students it serves."

#### RETAIL STORE HOURS

**Mrs. Marland:** I, too, have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario. This petition is signed by 41 members of the Christian Reformed Church of Clarkson at 1880 Lakeshore Road West, Mississauga. These people are stating their very strong opposition.

"We, the undersigned, appreciate the fact that the government of Ontario will be holding public meetings regarding the issue of Sunday shopping. We are opposed to Sunday shopping. We request that these hearings be held in centres throughout the province, including Mississauga."

I have a second petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario over the signature of Mrs. J. Nevers, store manager, Dixie Clearance Centre. The employees at the Dixie Sears store have all signed the petition against Sunday opening and request support on this issue.

**Mr. Mackenzie:** I have a petition, which reads in part:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

It is signed by one resident of Holbrook Road in Hamilton, and I have signed my name.

## INTRODUCTION OF BILL

### GOTTSCHER RELIEF ASSOCIATION ACT

Mr. McCague moved first reading of Bill Pr50, An Act to revive the Gottscheer Relief Association.

Motion agreed to.

## ORDERS OF THE DAY

### TRADE WITH UNITED STATES

Mr. Brandt moved nonconfidence motion 2 under standing order 70(a):

That, noting the government's failure to make a convincing case against the federally negotiated free trade agreement on either economic, legal or constitutional grounds and noting that other provinces are developing economic plans and launching trade missions to the United States to take advantage of the anticipated benefits from this major economic agreement, this House has lost confidence in the Ontario government because of its decided lack of action in developing a strategy to ensure Ontario workers and Ontario business obtain best advantage from the reduction of trade barriers with our largest trading partner.

**Hon. Mr. Conway:** If I might, at the beginning of this important debate, seek the unanimous consent of the House to share the time among the three parties until approximately five

o'clock, when the final round will then be shared equally by the three windup speakers.

**Mr. Speaker:** I believe there is agreement. I believe that is set out in the standing orders and there is up to 10 minutes for the bell and the vote.

**Mr. Sterling:** I am pleased today to address this motion of nonconfidence against this government. We in the Conservative Party believe this is a most serious issue and an issue which has been mismanaged by the government of the day.

As our motion states, we have lost confidence in this government due to its "lack of action in developing a strategy to ensure Ontario workers and Ontario business obtain the best advantage from the reduction of trade barriers with our largest trading partner," the United States.

These are not hollow words. We have before us, embodied in this agreement, the opportunity of access to over 250 million people—the richest free market in the world. Our only limitations should be our ingenuity, our resourcefulness and our competitive edge, qualities which are found in abundance in our provinces across every sector.

1530

Unfortunately, there is one resource we do not have in this particular debate, which those sectors and businesses and people of Ontario do not have, and that is the current government of Ontario. Our province is championed by a government which states that it favours multilateral trade, increased bilateral trade and increased interprovincial trade. Rather progressive, is it not? Well, not entirely.

From what we have seen in the last six months, it would appear that this government's support for these initiatives is conditional, meaning that as long as the conditions are favourable to our province alone, they will go for it, but not if the rules are fair and equitable to both sides. Otherwise, this government will take its ball and bat and go home.

For instance, Ontario is supportive of increased multilateral trade and, consequently, supportive of the General Agreement on Tariffs and Trade, the body which governs multilateral trade in the modern, industrialized world. Except when GATT makes a ruling that does not go in our favour, as in the case of wine pricing, listing and distribution, where we are found discriminatory, then this government puts its tail between its legs and says it no longer supports GATT.

The government supports a reduction of interprovincial barriers, unless, of course, one is referring to interprovincial barriers with respect to wine, in which case Ontario will balk again.



Again, the government supports a bilateral free trade agreement with the United States, except it does not support this particular agreement. Why? We are not sure, because their logic defies description, not to mention the industry and public opinion across this country, if they would read what all of Canada is talking about.

Let us now try to trace how this nonpolicy on bilateral trade developed. If we go back to last summer and the election campaign, which we remember all too well, I can recall the Premier (Mr. Peterson) stating his six conditions that would be necessary if he were to support a deal with the US. He insisted he would not support an agreement that would weaken the auto pact, that would threaten Canada's cultural identity, that would remove safeguards for agriculture, that would permit unrestricted foreign investment in Canada, that would prevent reduction of regional economic disparities or that did not include a binding dispute settlement mechanism.

I believe the Premier also included on his list, at a convenient moment some time later, the protection of the brewing industry. These were the Premier's conditions and, if these conditions were not met, he would veto this agreement single-handedly. His election victory he felt endorsed these bottom-line conditions and this would give him the power to carry out his veto. By October, however, the Premier declared he did not intend to campaign actively against the deal, because he did not want to exacerbate historical and regional tensions. So while the agreement was being negotiated, the Premier could not say what he was going to do, because he had to wait to see what the agreement actually said.

Once he saw the draft, he then said he wanted to wait to see the final text. When the final text was available, he wanted to see the implementing legislation. Now that we have the implementing legislation, we are told that we are going to wait for the Attorney General (Mr. Scott) to analyse and scrutinize the act and that the government has many options at its disposal, but none which it is at liberty to discuss, except that it may or it may not put forward a constitutional challenge. Pretty gutsy for a guy who had a veto on September 10.

We now have a constitutional audit of the agreement released by our Attorney General, which looks at the impact of the free trade agreement and not at the provisions of the implementing legislation. That of course will require another audit, which will be disclosed at some undetermined date.

Should I mention that the Premier only has six months left to do something about this? I think somebody should. Just what is the Premier's bottom line, or does he really have a bottom line? Was he being honest with the people of Ontario on September 10?

The government's constitutional audit is just the latest of a litany of studies designed to convince Ontarians that the free trade agreement will devastate our province. Previously, we had studies on the ineffectiveness of the dispute settlement mechanism, which was analysed as a domestic contract instead of an international treaty, which in fact it is.

We were given a report by this government on the effect on women, which indicated 100,000 women were in vulnerable job positions as a result of free trade. The report neglected, however, to mention that the important sensitive sectors—clothing, textiles and footwear—were also under attack from Third World producers. The study also implied that women involved in these industries would face serious barriers in finding new employment. Is this government implying that these people cannot be retrained, that we cannot upgrade the skills of these people who are involved in low-wage industries so that they can get jobs in higher-paying positions? That is what we want to do in this party.

Then, of course, we had the sectoral and regional sensitivity report on our manufacturing industries, another upbeat piece of information about our manufacturing industries' inability to compete. Unfortunately, the government did not provide a net employment impact study. It continues to hide the real effects of job loss and job creation on this particular issue. Nowhere has there been a mention of job creation as a result of this deal and the positive impact that business leaders across this country feel it will have on their industries.

Let us not forget the background paper—yet another one, on market access to the United States—which determined that Ontario will not have secure access to US markets. I find it strange that eight other provinces across this country feel that they will have improved access, yet our province says that we will not. To obtain secure access to the United States, this government is arguing that we will have to give up our right to apply our own trade remedies; yet this very same government wants that of the United States. It wants it both ways.

This latest constitutional audit implies that provincial sovereignty may be threatened through the federal government's implementing



legislation and that this may infringe on our provincial jurisdiction. That is a very good tactic, I guess, by the Premier. He frightened the electorate last September 10 with all kinds of crazy stories about what free trade would do to them. Now that the antitrade rhetoric of last summer has been shot down and has been proven wrong, he is attempting to do the same thing with other provinces by talking about the loss of jurisdiction they are going to get under this legislation which has been put forward in our federal Parliament.

Fortunately, the other provinces have the good sense to recognize the rhetoric. This is simply rhetoric, and we have heard the four western premiers talk about it.

We recognize that six of the 10 provincial premiers have some reservations about the implementing legislation, but the majority of these provinces will continue to support this agreement. What they have done is address it in a positive manner. They are taking the ball into their court and implementing this particular legislation in their provinces so they will not have the jurisdictional clash which this Premier is begging for.

1540

Frankly, I feel that the Minister for International Trade had little option in drafting this implementing legislation, as he had to ensure provincial compliance with the agreement. I feel that the federal government has the right to make treaties regarding commerce.

I feel that the federal government has taken great care with respect to the jurisdiction of the provinces, and perhaps with regard to our own province, too much. It has made every effort to ensure compliance. It has consulted with this particular government over the period of the negotiation of this particular agreement. Yet this government has continually said, "I want my ball and bat and I am going to go home."

The override clause is restricted solely to the liquor and wine provisions of the deal. The reality of the situation is that the federal government has sole responsibility for drafting international treaties and should not be held up for ransom by one obstructionist province which has decided, for whatever still unknown reasons or for pure political reasons, to oppose this international initiative.

The Premier has indicated on many occasions that he may challenge this trade deal in the courts. While in the past few days he has softened his stand on that matter, certain implications of such a move should be considered.

The implementing legislation was not drafted to be a federal power grab. Rather, the provinces are offered the chance to comply voluntarily, as the province of Quebec has chosen to do, without heavy-handed direction from Ottawa. Only if a province, as this province appears to be doing, does not comply with Ottawa will it bring upon itself the problem.

If this matter were to go to court, I think the Liberal government knows it would be decided in favour of the federal government, as it must have the power to make international agreements. While the trade legislation limits confrontation to the terms of the agreement, a court challenge might result in a ruling that would extend federal powers more broadly, more explicitly and more permanently.

That is what the other premiers are concerned about, but it is up to this Premier and this government to bring the confrontation. That would not be the preferred situation for the other provinces. Premier Getty and Premier Bourassa would not look kindly upon Ontario's nationalist Premier should this situation occur, considering the possible impact for all provinces. If the Premier were truly concerned with provincial jurisdiction and not simply wanting to impede this process, he would follow the example set by his Quebec counterpart, Premier Bourassa.

The Premier's actions are rather suspect for they reverse a long-standing tradition of this province in supporting strong central governments. If I recall correctly, former premiers Davis and Robarts kept federal-provincial conflicts to a minimum. Unfortunately, this Premier and government are intent on exacerbating conflict.

Ontario, thanks to the efforts of the Premier, has isolated itself. The impression has been given that this province opposes free trade. Ontario, the one province in Canada most heavily dependent on trade with the US—90 per cent of our exports—claims that it will get no benefit from this deal. Nobody believes that.

For whom does this government speak on this issue? Where is the source of this mounting opposition for which this government claims to be champion? This government does not listen to the small independent businessmen of this province, 63 per cent of whom believe it would be a good deal. It does not listen to the Ontario Chamber of Commerce, 70 per cent of whose members believe it is a good deal. Those percentages are increasing as the days go by. This free trade agreement offers Ontario an opportunity, nothing more. Why are we not



assisting our various sectors to capitalize on this opportunity?

I support this agreement. I recognize, however, that it is not a panacea for all sectors of our economy. We will lose some jobs, but for every job we lose, the potential remains for one or more to be gained in other sectors and at better pay. The agreement itself is neither doom nor glory, neither poverty nor wealth. The Premier complains about the rules of this agreement, but the rules themselves rarely create or destroy prosperity. They simply set the stage. We have a government that is not willing to step on to that stage. It is not willing to equip the teams to step on to that stage. We in this caucus are.

We think the time has come for the people of Ontario, now that they have seen the deal, now that they have seen the legislation, now that they have seen a Premier who claimed he had a veto, to have another chance. That is why we would urge all members of this Legislature to support us in this motion of nonconfidence so that we can have an election in Ontario to truly reflect the opinions and the wants of our people.

**Mr. Offer:** I am pleased to rise in this debate and speak against this motion and to urge all members to vote in the same fashion.

During the provincial election campaign last September, the Premier criticized the Canada-US trade agreement on the ground that it is a bad deal for Ontario and for Canada. Since the election, this government has continued to oppose the agreement. The federal government has conceded to the United States more than it has gained. We believe this particular deal profoundly reduces the ability of Canadians to shape their future.

Because of our concerns that the agreement will adversely affect the ability of Canadians to control their own future, the government of Ontario commissioned a study to determine the constitutional effects of the trade agreement. The key finding of this legal analysis is that the Canada-US trade agreement will dramatically and systematically reduce the ability of both the federal and provincial governments to shape and implement Canadian social policy.

Implementation of the trade agreement will mean that provinces will be severely constrained in responding to the social needs of their citizens. New provincial programs in a wide variety of areas will require the approval of US politicians and interest groups. If the Americans object, they will have the legal right to call upon the Canadian government to intervene and attempt to override provincial initiatives.

The Canada-US trade agreement makes room for a third party at the federal-provincial bargaining table: the US government. This new legal relationship with the US will fundamentally alter the dynamics of Canadian federalism, a federalism characterized by a spirit of compromise, civility and respect.

Both federal and provincial governments in this country have refrained from aggressive intrusions into the jurisdiction of other governments and avoided needless constitutional confrontation. This Canadian political tradition will be compromised by the proposed trade agreement. Americans will be able to insist that the government of Canada attempt to control provincial programs and policies in areas of exclusive provincial jurisdiction. This follows from the undertaking of the federal government in article 103 of the agreement to, and I quote, "ensure that all necessary measures are taken" to ensure the observance of the agreement by the provinces.

The legal analysis reveals that under the proposed Canada-US trade agreement each province will be forced to govern with one arm tied behind its back. This is a direct result of Canada's obligation under the agreement to accord to American corporations national treatment with respect to investment and trade in goods and services. One implication of this agreement is that if a province gives its own residents any preference over residents of other provinces in matters covered by the agreement, then it must give Americans the same preference. In other words, the agreement would require the province to treat Americans better than Canadians from other provinces.

#### 1550

The provinces now have many programs and policies that do not accord national treatment or equal treatment to American businesses. National treatment may be denied for a number of legitimate reasons. A province might want to deny national treatment to maintain control over economic activity vital to that province or to supervise foreign ownership of resources or to protect new industries and jobs. It might want to help local cultural activities flourish in an overwhelmingly foreign cultural environment.

As a result of the federal government's obligation under the agreement, provincial policy options, each province's ability to shape the social and economic future of its residents, will be drastically restricted. As well, many policy actions, which I might add are the direct response of the desires of the people of Ontario, will be threatened.



Discussion of national treatment leads me to the issue of subsidies and government assistance to Ontario industry. The whole practice of subsidies has been turned over to a series of negotiations between Canada and the US that will continue from five to seven years. During these negotiations, there will be a lot of pressure on Canada's regional development programs. The results of the negotiations are critical to the provincial power to maintain and develop almost all facets of its economic policy.

The agreement states that a subsidy cannot "constitute a means of arbitrary or unjustifiable discrimination" between American and Canadian investors. The ability of a province to subsidize Canadian-owned or provincially owned business will be seriously impaired by the requirement that subsidies meet this very vague standard. Some new labour adjustment subsidies directed to Canadians or Ontarians could be successfully attacked. Regional development programs or programs to ensure the enforcement of environmental standards could face similar challenges, and of course, provinces could avoid such attacks by inviting the US government to attend their cabinet meetings and asking the Americans which of the proposed provincial programs they would find acceptable. This is why we say the agreement not only makes room for, but necessitates a third party among federal and provincial decision-makers.

The implications of this change cannot be stressed too highly. The ability of future and current provincial governments to act in their citizens' interests may be severely constrained as a result of this agreement. Provincial practices which are currently considered to be legitimate public policy measures and are specifically provided for in the agreement will not be available to other provinces after January 1, 1989. For example, if at some future date Manitoba or Alberta or Ontario wanted to follow the practice of Prince Edward Island in restricting foreign ownership of agricultural lands, the federal government could be obliged to use every means to prevent this if the US objected.

For Ontario, this agreement is not just about the specific matter of implementing a new pricing policy for wines and spirits. Rather, the trade pact will result in a broad impairment of provincial government policy towards many of Ontario's industrial and resource-based sectors. For example, the scope of two-price energy policy as a provincial tool for economic development will be restricted.

I would like to reinforce that opinion by citing from a presentation made to the Senate foreign affairs committee by a western expert, Professor Bruce Wilkinson of the University of Alberta. Mr. Wilkinson expressed concern regarding the lack of policy flexibility with regard to energy and stated that the differential between domestic and export prices for hydro utilities could be ended. He also suggested that provincial control over resource protection is limited by the free trade agreement.

Aside from energy, the agreement will also apply to policies about resources which Canada does not yet export but could quite conceivably intend to export in the future. A main example is water. Canada may not impose quantitative restrictions on the export of water except as allowed by the General Agreement on Tariffs and Trade, and while conservation is an acceptable reason under the GATT for limiting exports if domestic consumption is also limited, protection of the environment is not. Limits to water exports may have to come from the owners of the water: the provinces.

While the US does not, under the agreement, have any right to insist that the owners of the Canadian resource must start to export water to it, if anyone in Canada does export it in the future, then the agreement will ensure that American have proportionate access to it thereafter.

The pricing of water exports would also be subject to the agreement, because no minimum price may be imposed. Ontario or any other province could not introduce, for instance, a water-taking fee, say as a conservation measure or as a means of making up social or environmental costs of diverting water, unless the same fee were applied to domestic use. It will be subject to this agreement because article 408 prohibits "any tax, duty or charge on the export of any good" that is not also levied on the good "when destined for domestic consumption."

In addition to these examples, provinces may find their ability to differentiate between Canadian and US health and social service providers limited by the agreement, and cultural industries will be the subject of a specific right of retaliation on the agreement.

The key effects of the Canada-US trade agreement is to unilaterally alter constitutional relations in this country, but even greater than these concerns is the profound economic impact this agreement will have on Ontario. It is for these reasons that this government opposes this



deal and asks all members of this Legislature to vote against this motion.

**Mr. Laughren:** I am pleased to stand in my place and put the position of the New Democrats on this nonconfidence motion. I should say at the outset that we will be supporting the nonconfidence motion.

It should be obvious to all members, not because of the sentiments in the motion that support the concept of free trade but rather because we, along with the Conservative Party of Ontario, have indeed lost confidence in the ability of this government to deal on our behalf with the federal government when it comes to the whole question of free trade. There is no reason for us to support this government or to lead anyone to believe that he or she should have any confidence whatsoever in the government when it comes to negotiating free trade.

We understand why the Conservative Party has lost confidence in the government, because it is very much an ideological question with that party. With us, we are supporting them, as I say, because we are absolutely convinced that the Premier and the Attorney General in particular, and I suppose the Treasurer (Mr. R. F. Nixon) along with them, have completely bungled the negotiations with the federal government. The only question that is in my mind, certainly, is whether that bungling was deliberate or otherwise.

It is hard to believe that we would have reached this stage in the negotiations, with the government having said everything it has said, unless the Premier knew from the very beginning it was all going to be a charade. It is hard to believe he could mishandle the entire thing that much.

**1600**

Let me remind the members what the Premier said during the campaign. He said: "There will be no deal without a dispute settlement mechanism. There will be no deal unless we can support regional development; no deal if it hurts farmers; no deal if we cannot screen foreign investment; no deal if it threatens our cultural identity and no deal if it guts the auto pact."

No deal. He did not say, "We will oppose it." He said there would be no deal. He did not just say, "If you do these things, we won't support it." No, that is not what he said. He said there would be no deal.

I want to tell the members that when he stands in his place and says there will be no deal and now acquiesces without even a challenge, you have to ask yourself: "What did he mean when he

said that? Was he deliberately misleading the people of Ontario? Does he have any information now that he did not have then?"

Tell me exactly what the Treasurer meant when he said that. What is there now in front of the Premier—the Premier, not the Treasurer—that was not there when he made these statements during the election campaign?

From those very, very clear statements, we have moved now to a situation where it really is almost a joke. When the Attorney General tabled the report, *The Impact of the Canada/US Trade Agreement: A Legal Analysis*, just this last week, it was truly remarkable to see what was in that report.

Among other things, it says that the trade pact will dramatically reduce provincial powers and give the US a voice in all future federal-provincial decisions. It says the US "will have the right to insist that our national government intervene in a whole range of matters which fall under provincial jurisdiction."

This is what the Attorney General told this Legislature. He said, "Provincial attempts to respond to the social and economic needs of their citizens will be severely constrained." He said the pact will lessen provincial powers to make social and economic policies, including energy pricing, resource development and health care. He went on to say, "New provincial programs in a wide variety of areas will be monitored by politicians and interest groups in the United States."

Given that admission by the Attorney General, how can the government members of this assembly sit in their places and acquiesce while the leaders of their government and their party do absolutely nothing to stop it? They make these statements, which I believe to be true, and then say, "However, we're not even going to try to stop it."

Despite that earlier commitment in the middle of an election campaign that there would be no deal, now, six months or more later, the Attorney General admits that these things are happening. Nothing has changed, except the fact that now the government is in the first year of a four-year term. It really is that smarmy.

Interjections.

**The Deputy Speaker:** Order.

**Mr. Laughren:** Given those statements that were so clear back last August, we now hear the Premier still saying things like: "The deal is bad and should be stopped. I have said before I think the solution is when the people of the country pass judgement on it in a general election."

Then he said, "I have to see what is in the legislation." Then he said, "I will look into the deal. I do not think it is helpful to indulge in hypothetical questions." He said: "There is a very distinct possibility that Ontario will soon undertake a challenge in the courts on the grounds that the legislation interferes with provincial jurisdiction over liquor pricing and distribution. I don't want to overemphasize our influence in this matter, but I think we speak for a number of Canadians in our views."

It goes on and on, the point being that as time goes by there is always an excuse for not doing something, always; it never seems to end. I simply have absolutely no confidence when the Premier stands up now and says anything about the free trade agreement. It is nothing but a con game. It truly was dishonest politicking back in August.

**Mr. Smith:** You have gone too far.

**Mr. Laughren:** It certainly was dishonest politicking. There is absolutely no better expression to describe it. We suspected this was going to happen. On January 6 of this year the Liberal government brought in a resolution to this House in which it condemned the free trade agreement. This party, despite the fact that we are opposed to free trade, did not support that resolution. We moved an amendment to it.

This is what one of the members said that afternoon when we were debating, after we had put our amendment to toughen up the resolution. I quote page 1769 of Hansard: "I think most government members would agree when they look at the resolution that it does not require them or any minister or the Premier to do anything; absolutely nothing. They can pack up their books tonight or tomorrow night, go home and forget about free trade, because it will be entirely in the hands of Prime Minister Mulroney. This government will not have to do a single thing, because this resolution does not call upon it to do anything; no action."

Those were comments by a member of the assembly back on January 6.

**Mr. Dietsch:** Name names. We want facts.

**Mr. Laughren:** I will confess that it was the member for Nickel Belt who made that prediction. I did not know at the time exactly how accurate I would be. But when you look back on it now, we were absolutely right. We moved an amendment to that resolution that called for the government to take some specific action, and we have been calling upon the government ever since to do just that, because we have learned from the days of the election campaign that

whatever the Premier says he is going to do, it does not necessarily mean he is going to do it.

The members can read whatever they want into that comment. I am not at all exaggerating. I am not at all being provocative. I am being totally honest when I say that the Premier engaged in dishonest politicking last summer on the question of free trade, and he has engaged in the same tactic ever since then. He is still no more honest on this issue than he was back in August.

We asked the Premier to do a number of things. For one, we asked him to notify the federal government officially of Ontario's opposition to the deal and the government's intention not to implement, in any fashion, any part of the deal falling within provincial jurisdiction. He did not do that.

We asked him to notify the federal government officially of Ontario's intention to pursue a constitutional challenge to the deal. He did not do that. We asked him to similarly notify the Reagan administration and the Congress of the United States of our opposition to it. He did not do that when we asked him to do it.

Then just a week or so ago, my leader stood in his place and asked the Premier to sign a letter saying that Ontario intends to pass legislation which clearly asserts provincial jurisdiction over energy, natural resources, health and community services and the sale and distribution of alcoholic beverages. The Premier refused to sign that letter.

It is clear, and it has been clear from last August, that the Premier was simply talking a good game. He is all fluff and no stuff. He has done absolutely nothing when it came to trying to prevent this deal from becoming a reality.

I was impressed last January during the debate with the way the Liberal members spoke on this issue. I said at the time that I felt they were speaking from their hearts and they actually meant what they said. I cannot imagine how a Liberal in Ontario now feels, having witnessed the lack of action on the part of the Premier. I am not exaggerating. He has done absolutely nothing.

Those members of the Liberal Party from northern Ontario must feel particularly aggrieved, because if there is one part of this province that is going to get it in the neck with the free trade agreement, it is northern Ontario. That is who is going to get it in the neck. If you think we have had lack of economic development for the last 100 years, then you should see what is going to happen in the next 100 years in northern Ontario. The only thing that will matter will be



shipping out the resources as quickly as possible and be damned with any kind of economic development in northern Ontario.

We have agreed to share the time among the three parties and I will relinquish my place now.

**Mr. Runciman:** I have just a few brief comments. I appreciate the opportunity to participate in this debate. I spoke at length late last year, for approximately three hours, on the free trade agreement.

**Mr. Black:** How well we remember. Painful.

**Mr. Runciman:** Yes, it was very attention-grabbing. I share the member's view of that. I want to indicate our support for much of what the member for Nickel Belt (Mr. Laughren) has just talked about, as regards the position taken by the Liberal Party, and most forcefully so by its leader, during the last provincial election.

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There is no question about it that there was a clear message sent out to the electorate that this was a bad deal for Ontario and that the Premier was the white knight who was going to fight the people's battles for them in respect to free trade and fight it right to the bitter end. Obviously, we have seen a significant turnaround in the past few months in attitude and position on the part of the Premier, his ministers and the trained seals who sit behind him.

We talk about the position taken by the government, and I have mentioned a number of areas of concern in respect to the Attorney General and comments he has made—I want to put this on the record again.

When the Attorney General was speaking to the Canadian Bar Association, he said that the free trade deal represents an intrusion on provincial powers of significant magnitude. That the free trade agreement will likely restrict the power of provinces to require upgrading or processing of natural resources, and most significantly, will force governments, and listen to this, fellows—"to compensate private companies before they can set up public insurance schemes in auto insurance."

I thought that was a rather significant comment coming from that infamous social engineer, the Attorney General, and a clear indication of where this government or at least some key players in this government are taking us in respect to auto insurance.

One of the myths that surround the leader of the Liberal Party is that this is an individual with considerable business experience. That is a myth that has been built up by the party and by the

public relations people around him, by the media and in some respects by our own party in terms of question period, but the reality is this is an individual who has very little real business experience. He came out of school and was almost immediately named the president of daddy's firm. That is really working your way up from the bottom, learning what the business is all about and what the business world is all about. There is no question he was a figurehead president. So to suggest that this individual has any understanding or appreciation of business is a myth and nothing less than that.

We have the Minister of Industry, Trade and Technology (Mr. Kwinter) in the House. I have said this before: He is someone who has some business credentials that stand up to scrutiny and he is probably one of the individuals in the caucus who has some very serious reservations, to say the least, about the position his leader and his party are taking in respect to free trade. But he has to do the right thing as a member of the executive council. He enjoys his car and driver and the perks associated with the office and is not about to take a position different from that of his leader.

We talk about this leader not knowing what is going on and the back and forth on the issue. I brought up a matter dealing with Ontario Hydro's submission to the Ontario Energy Board a couple of weeks ago. The major crown corporation of this province has a position in respect to the impact of free trade on this province radically different from that of the government. It is unheard of to have a crown corporation saying: "This is going to have a very positive impact in terms of growth in this province and a very significant beneficial impact. Ontario is going to be the main beneficiary of free trade." That is the assessment of the largest crown corporation in this province.

What happens when I ask the Premier of this province about that contradiction, that dichotomy of views? He stands up and says: "I did not know about it. I have not heard about it." Can members believe that? How on top of this issue is that so-called leader, that so-called businessman? He is operating in a cloud on this issue, as are the people surrounding him and supporting him—Margaret Atwood, Pierre Trudeau. Next we will have Madonna setting monetary policy.

I am telling members to take a look at their situation. I am telling the back-benchers to stand up and speak for the people they are representing. That is the only way they are going to be noticed in this 94-seat group of trained seals and the

brown-nosed gang over in the right-hand corner. We only have one of them sitting over there this afternoon.

I have to allocate some time for my colleague. I simply want to say that we have seen nothing in terms of direction provided by the current government other than indecisive, and in many instances, dishonest leadership. I urge all members of the House to support the motion of the member for Sarnia (Mr. Brandt).

**Mr. J. B. Nixon:** I am one of those back-benchers who would like to speak on this occasion and talk about how my constituents and some of the people of Ontario feel about this deal, in fact, feel about this motion of nonconfidence. I suggest that the more appropriate motion of nonconfidence would be a motion of nonconfidence in the federal government's mishandling of this entire situation and the trade agreement.

Before going into their inability to handle the difficult issues they face, I would just like to go to the agreement itself and point out some of the more problematic areas. The first is article 103, which we all know requires the parties, Canada and the United States, to take all necessary measures in order to give effect to the provisions of the agreement, including observance by the provincial and local governments.

What that translates into in Bill C-130, the so-called federal omnibus trade deal, is a very specific provision which purports to give the federal government the power for greater certainty. "Nothing shall limit in any manner the right of Parliament to enact legislation to implement any provision of the agreement or fulfil any obligation." It goes on and says, "The Governor in Council, for purpose of giving effect to this agreement, may make regulations for the purpose of enforcing this agreement and for overriding any penalties or regulations which contravene or demonstrate noncompliance with the agreement."

In other words, the federal government is going to run the show, not only federally but also provincially and locally. The legal analysis examines the effect of those provisions and in one particular area—

Interjections.

**The Deputy Speaker:** Order, please. The member will address his remarks through the Speaker and will ignore the interjections.

**Mr. J. B. Nixon:** Mr. Speaker, I am addressing my remarks to you. The problem I have is with these running dogs sitting over here who are echoing their respective federal party's position.

**The Deputy Speaker:** Please.

Interjections.

**The Deputy Speaker:** Order.

**Mr. McLean:** On a point of order, Mr. Speaker: If you had listened closely, you would have heard the statement made by the honourable member and I would suggest that he withdraw that.

**Mr. J. B. Nixon:** I will withdraw that and rely upon the phrase used by my friend the member for Leeds-Grenville (Mr. Runciman), "brown-nosers," if that is the phrase.

**The Deputy Speaker:** I would like to remind the members of the Legislature that they are wandering very close to nonparliamentary language on both sides of the House. I ask all members to please show more respect to other members in the labels they may affix to members. Thank you.

**Mr. J. B. Nixon:** What I want to deal with is the specific impact this trade agreement has on the ability of the provincial government to use subsidies as a means of economic development. The conditions are, in this agreement, that a subsidy shall not "constitute a means of arbitrary or unjustifiable discrimination between investors."

The reasons for denying national treatment are probably not enough to show that a discriminatory measure is not arbitrary or unjustifiable, the point being simply that a subsidy is not allowed to the extent that it is discriminatory or arbitrary and there are no grounds for saying that a subsidy is not discriminatory or not arbitrary.

The specific type of subsidy I would like to speak about is job training, job subsidies, job creation programs. What the leader of the third party wants to talk about in terms of job training, or so it seems to me, is establishing trade missions in foreign countries that may in the end result create a few jobs for a few Americans, but he is not dealing with the major disadvantage of this agreement, which is the great loss of jobs in Canada. Nowhere in his motion has he addressed that.

One of the most important economic plans operating in Ontario right now is our training strategy to deal with the job dislocation which will inevitably occur as a result of the free trade agreement and its implementation.

1620

**Mr. Runciman:** What are you doing about it?

**Mr. J. B. Nixon:** First of all, I would like to describe what the federal government says it is doing about it.



"Half a million Canadians could lose their jobs during the decade of a free trade treaty with the United States while it is being implemented," Benoît Bouchard, Minister of Employment and Immigration, says. "It could be over 500,000 jobs, but it could be below. It could be no change at all, but it is all theoretical because we could not say today where exactly the major change will be." Benoît Bouchard, the federal minister, goes on: "It will depend on what sector is concerned, which kind of worker we have to retrain, which kind of worker will lose his job, find another job. All that package will be there in due course."

So says Mr. Bouchard.

Let me tell the members what Mr. Mulroney said. He said that workers in three or four sectors would be hurt by free trade. He did not get very specific, but then he said, "That is why this government, with your help and support, has undertaken with the provinces to ensure a massive program to assist those workers affected by adjustment and dislocation." Mulroney later told reporters: "I think there would be, in the future, new training programs. I can see circumstances in some industries where they would need new programs."

Then, the next day, Mr. Turner asked Mr. Wilson in the federal House: "If, as the Prime Minister states, there are no losers in the Canadian free trade agreement, then why did he say last night that massive programs would have to be undertaken to protect Canadians who will lose their jobs as a result of the agreement with the United States? Where are these programs? Can the minister unveil and describe them right now?"

Mr. Wilson's reply was quite different from the reply given by Mr. Mulroney earlier that day. Mr. Wilson said: "Let me take the opportunity to answer the question of the Leader of the Opposition and say that we do not expect there will be a need for any significant programs of adjustment. We have a number of programs in place right now. The Prime Minister has said there is a need for those programs. Those programs are in place, and those programs will be augmented to the extent that it is necessary to deal with the problem."

Let me go on and tell the members that everyone recognized at that point that you had one minister of the crown, Mr. Bouchard, saying that perhaps 500,000 jobs will be lost; the senior minister, the Prime Minister, saying we will have massive job-training programs; and then the Minister of Finance saying we will have no new programs. I do not know who speaks for Ottawa.

**Mr. Callahan:** And they are all still in cabinet.

**Mr. J. B. Nixon:** And they are all still in cabinet.

Let me tell members the fact of what the federal government is doing to deal with these potentially lost 500,000 jobs.

**Mr. D. S. Cooke:** What are you guys doing to stop the deal?

**Mr. J. B. Nixon:** It has established Canadian Jobs Strategy, which consolidates all federal spending on training and employment development under a single umbrella. Good idea. Federal funding for labour market development has fallen with the introduction of Canadian Jobs Strategy. Ontario's Canadian Jobs Strategy allocation has fallen at a faster rate than the national allocation.

Mr. Mulroney talked about massive spending, massive programs to deal with the 500,000 lost jobs. What has happened since the government established Canadian Jobs Strategy? In 1984-85, the budgetary allocation was \$2.2 billion. By 1988-89, the budgetary allocation was \$1.4 billion. The reduction in Canadian Jobs Strategy, Mr. Mulroney's massive job-training program, was 36 per cent, and the major brunt of that reduction, that deficit-cutting, that budget reduction, was borne by Ontario and will be borne by Ontario where there will be significant job losses, as predicted by the other minister of the crown, Mr. Bouchard.

My friend the member for Windsor-Riverside (Mr. D. S. Cooke), has asked what Ontario is doing. Ontario has been working on this problem. Ontario recognizes that you do not establish a trade office to take advantage of the benefits of these deals as, in and of itself, the only solution to the problem. The problem of the dislocation, of the job loss, has to be dealt with in a number of ways.

The Premier's Council, which some of the members may be familiar with, has said: "One of the key competitive challenges Ontario faces is developing our most fundamental natural resource, the minds and skills of our workers...Ontario's competitive position has been seriously challenged in recent years. While the province has made gains in real economic growth and job creation, our competitiveness in several industries has been eroded by our major trading partners. Those economies that have invested in the basic and advanced skills of their workforces have achieved stronger economic performance through superior worker training and labour market responsiveness."

I suggest that is the legacy of the 42 years the leader of the third party was so proud of. The other side of the legacy is the loss of competitive position, the absence of job-training programs, the absence of support for education of our workforce.

Commenting on the federal job-training program—members should remember this is the Canadian Jobs Strategy that was cut from \$2.2 billion to \$1.4 billion over a period of four years—the Premier's Council states: "The priorities of the federal government in Canada stand in sharp contrast to the national policies of other countries such as Japan, Germany and Great Britain, where training is seen as primarily part of an economic rather than a social strategy; policies and programs are aggressively pursued to this end, and institutional structures reinforce the national commitment."

We have no national commitment. We have no recognition of the needs and the burdens this federal government will place on all provinces with its trade agreement.

**Mr. D. S. Cooke:** What are you guys doing to stop the deal?

**Mr. J. B. Nixon:** The member for Windsor-Riverside wants to know what we are doing. I only read to him from one small part of the Premier's Council, "The government of Ontario has provided a single focus for training in the province."

**Mr. D. S. Cooke:** I didn't ask about training. I asked what you were doing to stop the deal.

**Mr. J. B. Nixon:** Why does the member not listen for a second?

"The Ontario Training Strategy (OTS), launched in 1986, has doubled the province's training commitment from \$50 million to \$100 million annually. Training in Ontario now has the same level of financial support as the Premier's Council technology fund."

I suggest that if the opposition were interested in taking advantage of any benefits there might be in this trade deal, it would pay attention to the disadvantages first. They would deal with the very real problems we face as a society and as a province and provide some constructive advice. All we have heard is, "Establish a few more trade offices and create some employment in America." I suggest that is the wrong way to do it.

**Mr. Morin-Strom:** I am pleased to address this resolution. Surely, if any government deserved to have a nonconfidence motion and if there was ever a reason for a nonconfidence motion, it has to do with the trade policies of this

particular government, which we are facing here today. This government has abdicated its role to take a position on behalf of the people of this province in fighting this trade deal. This government refuses to stand up and protect the interests of the workers of our province, the interests of our farmers and our consumers, and instead has reneged completely on its election promises.

I remind members of this Legislature that in the campaign last fall, the Premier made a commitment, which was a large part of his election campaign. The people of the province believed that he was going to live up to that commitment. The Premier said that there would be no deal without a dispute settlement mechanism. He said that there would be no deal unless we could support regional development. There would be no deal if the agreement was going to hurt farmers. There would be no deal if we could not screen foreign investment. There would be no deal if it threatened our cultural identity and there would be no deal if it gutted the auto pact.

We now know, and we have known for a number of months, that the deal that was worked out between Prime Minister Mulroney and America's President Reagan in fact did not meet any of these six terms.

### 1630

This government made a commitment in the last election campaign to fight such a deal, but what has happened? Every time it comes to action on this deal, we hear another excuse from the government why we cannot take action now. One excuse is, "We have to wait for another event farther down the road." The most recent one now is, "We have not seen the actual legislation." The last excuse last fall after the final terms of the agreement had been met was, "We cannot take action until we see the legislation itself." We have now seen the legislation in the last week, but what is the government's approach? The government's reaction to that is, "Now we have to wait until it is passed." In fact, really, we know that the government's reaction is that it will not do anything until the agreement is fully implemented on January 1 of next year.

The people of Ontario have been extremely disappointed with this reaction. This government continues to sit on the fence, taking no position. Certainly I hear comments from the chairman of the finance and economic affairs committee. We have been on that committee, looking at this issue for over two years. We have been to Washington four times. We have heard the concerns that have been expressed to us by so



many submissions in front of our committee, but still, what has been the position of the Liberals? When it came to reports from that committee, twice we have come out with major reports and the Liberals have supported the same position as the Conservatives on that committee. It has only been the New Democrats who have filed dissents, asking this government to take solid action to stop this agreement.

All the way down the line, when it comes to actual action, the Liberals have been on side with the Conservatives. At least we can give the Conservatives credit for being honest and forthright about their position on free trade. The Liberals in effect are backing free trade. They are backing the business agenda of taking away the powers of governments in this country, of taking away the rights of the people of this country to determine their own future and putting so many of those powers into the hands of the Americans. This government continues to acquiesce and not act on those concerns.

I hear questions about what kinds of things we could in fact do. I suggest that we have heard submissions which indicate many things we could do as a government here in Ontario to fight this agreement, which this government refuses to look at. I am going to give four—

Interjection.

**Mr. Morin-Strom:** The member is asking to see what some of those items are and I am going to give him some of them right now. These were presented to our committee by Leo Gerard—

Interjections.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. Morin-Strom:** —District 6 director of United Steelworkers of America, representing the interests of his workers and concerned citizens across this province. This is just a list of some of the kinds of things that we could be doing.

“1. To publish and publicize a consumer guide to the trade deal, to make it clear what the agreement means for consumer prices, including the impact of the deal on transborder shopping expeditions....” This government has done nothing to publicize the deficiencies of this agreement. The federal government has committed \$14 million to fighting on its side of the issue, but this government will do nothing to counter the federal government’s actions.

“2. Identify publicly the plants in Ontario that will lose the benefit of duty waiver programs as a result of this deal....”

“3. Strengthen requirements that Ontario resources be processed and refined in this province....” If there was ever an important priority in terms of any kind of sensible strategy for the regions of this province and of this country as a whole, it would be to protect the resource sector. We have to maintain that right. This deal takes away that right.

Interjections.

**The Acting Speaker:** Order. Just one moment, please. I would ask all honourable members to stop interjecting or having conversations across the floor while the member for Sault Ste. Marie is proceeding with his presentation.

**Mr. Morin-Strom:** “4. Declare that Ontario will not accord national treatment to US goods as required by article 502 of the deal.” Surely we have to have the right to give preferential purchasing to goods produced here in Canada and Ontario. If we are going to develop our own industries, we have to have the right to develop Canadian content policies of the type that have been so successful for the auto industry.

“5. Review Ontario’s technical standards legislation with a view to exercising Ontario’s full constitutional authority in this area.” Certainly in terms of environmental concerns, we see that this agreement specifies that Ontario, Canada as a whole in fact, has to be in the process of melding, unifying our environmental requirements with those of the United States. I do not know how we can think that we, as Canadians, can protect our own interests and concerns in this area, which we know are so much stronger than the Americans, and then go and sell out and say that we are going to match our environmental standards with theirs, but that is in this agreement in black and white in the agricultural section covering all pesticides, which is the biggest area of chemical regulation in both of our countries.

“6. Expand and strengthen Ontario’s agricultural marketing board structure if needed....” Certainly our family farm is seriously threatened by this agreement. We are looking at the potential for corporate farming taking over the unified marketplace and the marketing boards have worked very successfully in terms of maintaining the family farm in Ontario, and Canada as a whole, in comparison with what the Americans have as their alternative, which is corporate farming.

“7. In accordance with accepted GATT principles, substitute indirect subsidies of grape growers for the direct subsidy of Ontario wine through Liquor Control Board of Ontario pricing policies....” Surely this is an industry which is

going to go down the drain under this agreement. We need to have a government that is going to stand up for it, not sit there on the fence, wishy-washy in terms of this approach to the grape growers and the wine sector.

"8. Expand and strengthen Ontario's energy regulatory authority to the full limits of provincial jurisdiction...."

"9. Introduce new regulations governing the sale of...used cars...."

"10. Strengthen Ontario's government procurement preferences...."

"11. Immediately cancel Ontario's plans to deregulate the transportation industry...."

The list goes on and on. Surely this particular one, the fact that this government, while it proclaims itself to be against free trade, meanwhile is moving on Bills 86, 87 and 88 to deregulate the trucking industry and allow unlimited access to our industry from American truckers is an indication of where this government is actually going in terms of legislation, while it continues to pronounce the rhetoric of being against free trade. The trucking sector feels, and certainly we have heard from the Ontario Trucking Association of the devastating impact that the Ontario legislation is going to have on that sector, we should have a government that is willing to stand up for Ontario industry and ensure that we get fair treatment from the Americans and not just give them wide-open access to an important sector in our transportation business.

The list goes on and on. The Liberals claim there is nothing that can be done, but we have heard many suggestions in our committee and I would ask that this government take action on these items. I would hope that our committee will reach some resolution in terms of the report that is about to come from our committee, but certainly at this point, there is no way that we can express any kind of confidence in this government when it comes to trade, and we will be standing very strongly opposed to the trade policies of this Liberal government.

**Mr. Pope:** It is my privilege to participate in this debate on behalf of my party, and I say to the people of Ontario that I think it is appropriate at this point to review some of the messages that the Liberal publicity machine was issuing over the past year and a half, so I have a selected sample of clippings to share with the people of Ontario. The first one says, "Free Trade Must Benefit All, Peterson Says," and in here it says, "In the meantime we are fighting for Canada's interest every inch of the way." Some fight.

Here is another one, and I am just doing this to jog people's memories as to the messages that they were given by the Liberal Party of Ontario. "Premier Hardens Position on Trade." Another one, "Peterson Sets Out Bottom Line Terms for Free Trade Pact." Another one, "Peterson Sets Conditions for Backing Free Trade Pact." Another one, "North Gets Nothing from Free Trade Agreement."

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Another one, Michael Bennett with Peterson, "Looking for a 'No' Mandate."

Another one, "Peterson Warns Against Trade Deal without Ratification by Provinces."

Another one—

**Mr. Haggerty:** Did you read today's Sun?

**Mr. Pope:** —and the member from Niagara South, who has selective hearing, might want to listen to this one, "'No question, Ontario has veto to reject a pact,' Peterson says."

**Hon. Mr. Kwinter:** What's the date on that?

**Mr. Pope:** Now the Minister of Industry, Trade and Technology is asking, "What is the date of that?" That is precisely the issue, because they have changed their positions as they went through the election and as this issue has unfolded, and I think it is a disgusting, despicable effort by a Liberal government that has not come clean with the people of this province.

**Mr. D. R. Cooke:** All we know is it was pre-election.

**Hon. Mr. Kwinter:** On a point of order, Madam Speaker: The member for Cochrane South has read something into the record. I think that we have a right to know the date that document was prepared.

**The Acting Speaker:** That is not a point of order, but if he wishes to participate in the debate later, I am sure the minister will have a chance.

**Mr. Pope:** It was pre-election, and I know the Minister of Industry, Trade and Technology is trying to avoid that issue.

**Hon. Mr. Kwinter:** No.

**Mr. Pope:** Oh, now the Minister of Industry, Trade and Technology—and I presume he is going to get on his feet to say this—is saying that they said one thing before the election and one thing after. That is exactly what he is saying right now. Thank you very much. If you are a Liberal, that is OK. For a Liberal, it is OK to say one thing before and during an election campaign and quite another thing afterwards. The Minister of Industry, Trade and Technology thinks that is OK. He is saying yes. He is saying it is OK. What a



disgraceful display of responsible, honest government.

Then we have a new lyric to a freer trade tune. "Peterson says he has the right to veto any implementation on the provincial level." We now know that is not true.

But here is my favourite. "Premier believes unknown nature of free trade pact is dangerous." I just want to read one quote here:

"'The Canadian system is more civilized than the society to the south,' he said. 'The United States is dominated by special interests and a business ethic that has produced cultural monuments such as Disneyland and Mickey Mouse,' he said."

That is reported. That is his analysis of the free trade issue—this from a man who on a Friday afternoon in late August 1987 was carried on radio across this province as saying he was always a Pee Wee Herman fan. Not only that, he was thrilled because he was talking to a Pee Wee Herman look-alike.

We have been treated to the full range of the Liberal propaganda machine over the past year and a half on this issue. We have had an election and the pre-election period when the Premier, by the admission of his own Minister of Industry, Trade and Technology today, has said one thing, and quite another after he received his mandate.

We have seen televised cabinet committee meetings carried on community cable television across the province for weeks on end—endless, nonsensical propaganda. We have seen studies selectively given, or leaked ahead of time to media and selectively released to the members of this Legislature.

And what do they all say? They try to buttress the whole pervasive atmosphere or attitude that the Premier wished to give off in the last year and a half. He could veto the deal, and if it was perchance signed by the Prime Minister of this country, he could frustrate it. He could make sure it was never implemented, not only in Ontario but also across this country.

He said that he could successfully mount a constitutional challenge.

**Mr. D. R. Cooke:** When did he say that?

**Mr. Pope:** Exactly. Now we have the chairman of the standing committee on finance and economic affairs asking, "When did he say that?" I will admit that he said it before the election, and the honourable member says it is OK now if he did not mean it.

Interjections.

**The Acting Speaker:** Order.

**Mr. Pope:** Liberals think it is OK to say whatever they want during the election campaign and then tell the people—

Interjections.

**The Acting Speaker:** Order. Would the honourable member take his seat?

I understand the concern that all members have. I would like to remind all members to use as much restraint as they possibly can and allow the member for Cochrane South to continue for approximately another minute and a half.

**Mr. Pope:** I think it is clear, in spite of an earlier Liberal speaker who said that what the party had made clear during the election campaign is that it would oppose the deal. I wrote it down as he was saying it and the members of the New Democratic Party were quite right in saying, "That is not what you said during the election campaign." The Premier (Mr. Peterson) said he could veto it. He said he could frustrate it. He said he could stop it. He said he could mount a successful constitutional challenge to it. All of it was election hooey and they ought to be ashamed of themselves, the whole Liberal gang across the House.

The next myth is that somehow the United States government is going to sit on David Peterson's shoulders when he makes decisions. How nonsensical. This is the same David Peterson who made a secret deal on softwood lumber when the Americans filed a countervail application in Washington, the same Premier, and he is now worried about the Americans sitting on his shoulder. What a bunch of hypocrisy and nonsense, and he agreed to it in writing through his Deputy Minister of Natural Resources in September 1987. The next matter—

**Mr. Reycraft:** Point of order.

**The Acting Speaker:** A point of order. The honourable member for Middlesex.

**Mr. Reycraft:** On a point of order, Madam Speaker: The honourable member for Cochrane South has used the term "hypocrisy" in his speech. The term is clearly unparliamentary, according to the rules of this chamber. I would ask you that he remove it.

**The Acting Speaker:** The honourable member.

**Mr. Pope:** It is clear now that this government intends to do nothing. They are not even going to challenge something that deals directly—

**The Acting Speaker:** Withdraw the term.

**Mr. Pope:** —with wine and liquor.

**The Acting Speaker:** I would request the honourable member withdraw the statement with respect to hypocrisy.

**Mr. Harris:** On a point of order, Madam Speaker: I was listening to the speaker. Obviously the point was an attempt to disrupt the speaker in his final 15 or 20 seconds of summation. The speaker did not refer to anybody in this House with reference to hypocrisy. I heard the word "hypocrisy" in general, applying to a policy that a group of people seem to have.

If an individual member had been called hypocritical, in that sense, I think it would have been a matter of unparliamentary language. But I did not hear that and I would suggest that 20 seconds be added to the clock so the member can conclude his remarks.

**The Acting Speaker:** I listened very carefully to the point of order made by the member for Middlesex, as well as the response made by the member for Cochrane South and the member for Nipissing.

The words that were said at the time indicated, if I recall them appropriately, hypocrisy with respect to the government itself. I note the honourable member has indicated that he refuses to withdraw the statement. I will ask him if he will please withdraw that statement.

**Mr. Pope:** On a point of order, Madam Speaker: I never said anything to you, previous to just now. OK?

**The Acting Speaker:** You continued speaking with respect to the comment. I would ask that the honourable member please—

**Mr. Pope:** This will be the second time I am removed from this chamber through an error in what I said.

**The Acting Speaker:** I would request that the honourable member, again reconsider what he has said. Would you please withdraw the comment?

**Mr. Pope:** I will withdraw it, but I am very unhappy that this has happened.

**The Acting Speaker:** I appreciate the honourable member's co-operation. I understand, but I do appreciate your co-operation with respect to this. Thank you.

Would any other honourable member wish to participate?

**Mr. Harris:** I think the member for Cochrane South has a point. I would ask the chair to facilitate the debate today. Could the chair check the Hansard, and if, in fact, there was nothing said that had to be withdrawn—and I think the member is saying, if anybody is offended, he is

pleased to withdraw it. But could you check the Hansard and, perhaps, tomorrow, indicate that it was either necessary or it was not?

**The Acting Speaker:** I will be more than pleased to check the Hansard, look at it completely and return to the House tomorrow, or speak directly with the honourable member.

**Mr. Laughren:** On a point of order, Madam Speaker: I appreciate your ruling and I am not rising on my feet to debate it, of course, but would you also comment, when you make your ruling on the member for Cochrane South, if you choose, make comment on the behaviour of the chief government whip in intervening with about one minute to go in the member's speech, in order to disrupt his concluding remarks?

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**The Acting Speaker:** I understand the point of order that has been brought forward by the member for Nickel Belt. I will not make comment with respect to that but I will certainly make comment and review Hansard with respect to the comment of the member for Cochrane South (Mr. Pope). Does any other honourable member wish to participate?

**Mr. Black:** I am pleased to participate in this debate and I am pleased to urge members of this Legislature to vote against the nonconfidence motion. The member for Sarnia would suggest that the government has failed to make a convincing case. I suggest that the case has been clearly made and effectively stated. The members of the opposition may well not have heard it, they may well not have understood it, but indeed the case has been made.

The member for Sarnia would also suggest that the Premier stands alone in his opposition to the free trade agreement. Such is not the case. There are other people who have stated the case and stated it effectively. I would like to take this opportunity to make reference to just a few of them.

I want, first, to refer to some people from the international scene who are involved in trade. Takashi Ishihara, chairman of the giant Nissan Motor Co., has his view of the bilateral trade agreement. He suggests: "If countries continue to lock themselves into such bilateral arrangements, then there is a fear this will lead to economic blocs like the 1930s and a decline in world trade. We are very much afraid of that."

Willy De Clerq, in effect the trade minister of the European Community, has also attacked and has made this case effectively: "Bilateralism is a



dangerous threat, which means the strongest are going to win."

With all due respect, it is that approach that the opposition, the third party in this House, would have us take. There have been other people who have made the case against the free trade agreement. I want to deal with one of those incidents now.

Last September, Alcan Aluminum Ltd. announced the closing of the only aluminum-foil rolling plant in Canada, located in my constituency and in fact in my residence town of Bracebridge. That plant was closed as the result of a long-term strike, perhaps. It was closed also as a result of a decision by Alcan.

In discussing that decision with the federal government, the mayor of Bracebridge received this reply: "We understand Alcan is restructuring its operations in order to be more competitive in North America as a result of the anticipated free trade agreement with the United States."

The writer of that letter, and the signature on the letter, is that of Pat Carney, then Minister for International Trade for the government of Canada. When we have a situation in this country where the Conservative Minister for International Trade for the federal government goes on the record as suggesting that the answer to a plant closing in Ontario is the free trade agreement, I think it gives us some indication in a very clear way of what kind of future this province and this country may face under a free trade agreement.

I want also to suggest that there are other people who have voiced their opinions on free trade. I want to quote some of them to you and I want to read them into the record. They are not all Liberals and they are not all from Ontario.

Brian Mulroney said in 1983, "It affects Canadian sovereignty and we will have none of it." That is Brian Mulroney, the Prime Minister of Canada, giving his opinion on free trade.

Joe Clark said in 1983, "Unrestrained free trade with the United States raises the possibility that thousands of jobs could be lost in such critical industries as textiles, furniture and footwear."

Michael Wilson: There is a name that some of the people on the opposite side of the House may well recognize. Michael Wilson said in 1983, "Bilateral free trade with the United States is simplistic and naïve."

The then Secretary of State of Canada, David Crombie, in referring to free trade: "It is silly. Our natural destiny is to become a global leader, not America's weak sister."

Eddie Goodman, another noted Tory: "A Canada-US free trade option must be rejected."

Hugh Segal: "It is neither in the Tory tradition nor consistent with the Tory defence of Canadian commercial interests," in reference to free trade.

Here is one I think we should read into the record. In 1985, the then Minister of Industry, Trade and Technology, the member for Sarnia said this: "Taking the multilateral route in trade negotiations is the best long-term way for Canada." I just want to confirm that that was indeed said in 1985 by the member for Sarnia. At that time, granted, he did have another role to play. He is a man who perhaps has not always been consistent in his position and in his opposition to the trade agreement.

The point I make, and I think it is a point we must agree upon, is that this government has consistently voiced its opposition to the free trade agreement. It has made the case and has made the case effectively. Beyond that, it has gone on to suggest that there are other alternatives. Those other alternatives are to continue negotiations through the GATT process, to continue to look for sectoral arrangements which will reduce tariffs and treaties and to expand our trade on an international front. We should recognize that the United States, although it is our largest trading partner, is not our only trading partner, nor should it be now or in the future.

I would urge all members of this Legislature to join with this party in defeating the motion of nonconfidence proposed by the third party. We are consistent in our position. We have made that position clear at all times. We do not change that position for short-term political gain. We stand firm in our opposition to free trade and to this nonconfidence motion.

**Mr. Mackenzie:** The free trade agreement with the US, initiated and promoted by the federal Conservative government under Brian Mulroney, is a tragedy that simply must not be allowed to happen. The deal was conceived in secret, developed initially in silence and was totally opposite to the publicly stated position of the Prime Minister. It was hidden from the voters in the last election and carries no consensus or mandate from the citizens of Canada. Truly, it can be said to have been conceived in deceit and will probably go down in history for establishing the name "Lyin' Brian."

The potential for damage to our people, our cultural and social programs and, yes, our very sovereignty is so great that to have launched such a sellout without a mandate or even a hint of what



was to come can be called little short of an act of treason by those responsible.

About the only positive statement one can make is that the Conservative government and its members are true to their agenda and philosophy, a right-wing agenda that calls for deregulation, privatization and free trade. They are also honest and predictable, which is something I cannot say of the Liberal Party. The all-things-to-all-people approach may occasionally buy votes, but there is a price to it and the price is the credibility of the party in terms of people ever knowing where it stands on a fundamental issue. It is really funny-sad that a party can confuse the public without carrying the can for its real philosophy which, in fact, is almost identical to that of the Tories.

**An hon. member:** How can you say that?

**Mr. Mackenzie:** How can I say that? Deregulation, privatization and the same unfair tax measures, and where do they really stand on free trade? In fact, the two parties, beholden to the same interests with the same programs, differ only in the extent of straightforwardness.

Let us be clear. The argument is not free trade or no trade: it is fair trade. It has nothing to do with our ability or our need to trade. We have done a tremendous job as a major trading nation, overcoming tariffs, quotas, threats and US and other foreign-country protectionism without destroying our ability to use government intervention and incentives and without selling our country and its resources.

This bilateral free trade deal with the US, which we asked for, as we were reminded down in Washington, carries a heavy price and leaves unanswered crucial questions. The agreement calls for a level playing field, as the Americans like to call it. It is a level playing field with all of the heaters at one end. Take a look at it. Size, climate, low-wage areas, a huge market, cheaper health-pension-welfare plans and poorer safety and health and environmental standards are the heaters at one end of the field. On our side, you can list almost all of the others in reverse: smaller markets, more expensive costs, colder climate.

There are a number of real concerns as well. Even supporters of free trade acknowledge a major disruption of our workforce. How many jobs will be lost as no-longer-necessary branch plants are closed, as the cheaper costs of volume production and main office operations move swiftly across the border? The move to low-wage, right-to-work, sunbelt states is sure to accelerate.

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Foreign investment in Canada is almost uncontrolled. Manufacturing, investment, building and production decisions will be made with head-office decisions in the United States as a prime consideration, not the Canadian interest. We will watch the earned profits flow out of the country. There will be wealth produced, but who will get it and who will control it?

The stupidity of the energy agreement defies description. What other country in the world has given up the right to set its own price for its own energy supplies and to make sure that it can supply its own needs first? The potential loss in services, which may be the most serious problem we face because of the uncertainty and the new ground to be broken, must be of concern to all.

The cultural community has effectively outlined its concerns. Auto workers and auto parts companies know what is at stake, when the one example in this country of managed and negotiated trade is effectively undermined. Much of the agricultural community understands the threat to marketing programs. It understands as well, in wine and poultry and other products, that the threats of climate, produce costs and the scale-of-size operations are very real threats.

Even more bizarre is the absolutely vital matter of subsidies. What are subsidies and are our social programs part of the package? Who but Conservatives, totally sold on the trade deal regardless of other people's concerns, would sign an agreement of such fundamental impact on our country, without any agreement in advance on what the rules are?

We are going to spend five to seven years negotiating what subsidies are, after we put the agreement into place. Those subsidies may very well include some of our social programs. I do not know anybody else who would sign such a contract or negotiate such a contract or agree to it without knowing what the terms were going to be in advance.

Having said all of that, what is the record of the provincial Liberal government when it comes to free trade? Yesterday I asked a question that raised six points. During the election campaign the Premier promised the people of Ontario, and he emphasized it, that there would be no free trade deal if it weakened the auto pact; if it threatened Canada's cultural identity; if it removed the safeguards for agriculture; if it permitted unrestricted foreign investment; if it prevented reduction of regional economic disparities; if it did not include a binding dispute settlement mechanism, which may be one of the



most key issues of all. On election night, the Premier said the citizens of Ontario had endorsed his six bottom-line conditions.

None of those has been met. We have seen backoff after backoff. We now see that we may not be able to challenge in court, or at least the Attorney General is not sure. We cannot, no matter how we question the Premier, get him to give us specifics, and we have laid out some of the things that could be done.

There is no way in good conscience I could support this government in voting. I am voting nonconfidence. Having said that, let me also make it clear—and there is no question where we stand and I think the public understands it—that I have no truck with the sellout artists of the Conservative Party. I respect their right to their position, even though I totally reject their arguments, with the sole exception of the nonconfidence in this government.

Let me tell members very clearly, when it comes to free trade and this particular agreement, there is no question in my mind, no question whatsoever, that it is a plague on both their houses. I do not know where the difference is. With the Tories, I know what they are saying. I disagree with them fundamentally and totally, but at least they are up front and honest. I do not know the same with the Liberals. I cannot trust them. I do not know where they stand. I will tell members very frankly that, to me, more dangerous than somebody you know you are fighting is somebody about whom you do not know what the heck he stands for.

There is clearly no solid position on the part of this government in opposition to free trade. If there was, they would have outlined some of the positions they were willing to take. My colleague went through about eight of 12 or 15 specific recommendations, almost every one of which would have established clearly in this province and to the federal government that Ontario was not going to buy this deal. It would have put an end to this agreement long before this.

I suggest that the fear is out there that this government is playing games. When we finally have the agreement in place, which is what they said they had to wait for, we take a look at it and they discover they are going to have difficulty with the court challenge. We are in a position where: "Well, rather than upset the whole applecart in this country, we are now going to say, really, we have done everything we can. We talked tough but we did nothing in terms of concrete action."

That is the position of this government, and I reject it totally, just as I reject the Tory position in favour of free trade.

**Hon. Mr. Kwinter:** If I could ask the indulgence of the House to depart from what has been going on this afternoon to speak to the resolution, what has been happening today has been basically a rehash of exactly what we did in a debate that lasted throughout Christmas and culminated in a vote on January 6 in which this Legislature voted in opposition to free trade. That resolution was conveyed to both the United States government and the federal government.

What we have today is a resolution standing in the name of the leader of the third party in which he says the government has failed to make a convincing case and he also is talking about the economic plans and the launching of trade missions into the United States and saying, in effect, that we, as a government, have not provided for what is effectively going to take place with our largest trading partner.

I would like to address that part of the resolution, and time permitting, I would also like to wrap up with a recap of exactly where we stand on this issue.

Members will know, I am sure, that of all the imports into Canada, 75 per cent of them come into Ontario, and of all the exports from Canada into the United States, 56 per cent of them are from Ontario, which effectively means that we are certainly that country's largest trading partner. It is something we cherish and something we want to enhance.

Having said all that, we also feel very strongly that any policy that ties us to one trading partner has to have some serious consequences in the long term, so we are very, very committed not only to continuing and enhancing our trade with our largest trading partner, but also to diverging and getting into the Pacific Rim, expanding our contacts in Europe and getting out into that huge world market.

But when we get back to the US and the contention of the leader of the third party that we do not have any trade missions going, we have a part-time person in New York, we are not doing our best to service the United States, which in fact is our largest trading partner, I would like to speak to that.

First, members should know that the ministry has a total staff of 82 devoted to the promotion of exports to the United States. As members can see, this is very effective, because we are by far, or were up until recently, the largest trading partner the United States has. We have been



surpassed by Japan, but only recently. That is as a province; as a country, we are still the largest.

These people we have advise and counsel potential Ontario exporters. Of this staff of 82, 26 of them are located in our head office in New York and 56 in our six US trade offices. Members may not even be aware that we have offices in Boston, Chicago, New York, Atlanta, Los Angeles and Dallas, and they are very, very active.

In anticipation of the changing and increasing needs of Ontario business and industry and the continuing importance of the US market, at the beginning of 1987-88 my ministry redefined its US trade development strategies. We have the leader of the third party saying we do not have a strategy, so I would like to put into the record exactly what that strategy is.

This redefinition involves a doubling of Queen's Park professional staff, and we have taken the allocated resources to the United States from 7 to 15 and changed from a geographic representation to a product-sector orientation. This allows each consultant to be responsible for national US export development, as well as joint ventures and licensing for Ontario clients, in a specific product sector.

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One that comes to mind and one that I had the honour of participating in just two weeks ago is the aerospace industry. Fifty-three per cent of the aerospace industry in Canada is located in Ontario. We now have specialists who specialize in that and deal with it regardless of where it takes place in the United States, and this has become very effective.

The new strategy and organization are proving beneficial to our clients. Consultants are better able to counsel clients through in-depth sector expertise and are able to take a broader national and longer-term perspective on each industry's needs and opportunities in the American market. Co-operative relationships with trade associations are much more intensive than ever before, allowing the Ministry of Industry and Trade to leverage its influence to a maximum. It is expected that substantive results from the change in strategic direction for the US section will show in the long term.

Three quarters of the Queen's Park-based staff and program resources for US trade promotion are focused on high-technology industrial and services exports. Let me share with members what the results of these new strategies are. In 1987-88, sales assists were \$438 million, a 25 per cent increase over the previous year. In

1987-88, agents and distributors appointed reached a high of 567, a 68 per cent increase over the previous year. First-time exporters to the United States assisted by my ministry increased to 123.

These results are only part of the picture. In the reorganization of the industry and trade expansion division, which took place on January 1, 1987, the US section assumed a key role in the ministry's mandate of export promotion and education. This includes identifying potential exporters, motivating and educating Ontario firms to advance into successful first-time exporters into the US border markets and then assisting them to become established throughout the US market.

A key export education program of US trade strategy is NEBS, which stands for new exporters to border states. This program, pioneered by Ontario in 1984, has proved highly successful. In a private survey across Canada, business rated NEBS as one of the two best export programs offered by any level of government anywhere in Canada. It is used in teaching new exporters the basics of exporting to the United States.

The program takes companies to a US entry point for on-the-spot presentations and introduction to the exporting process. Over the past four years, a total of 42 NEBS missions has been organized for over 700 firms. In the last fiscal year, we organized the largest-ever NEBS mission, this one from northern Ontario. NEBS missions were also organized from eastern and southwestern Ontario as well as from the greater Toronto area. Our 1988-89 program is the most ambitious ever, with 13 missions planned.

The new product-sector strategy has led to closer relationships with Ontario industry associations. In 1987-88, a total of four industry-sector export education seminars were successfully held, which focused on US market opportunities.

**Mr. Laughren:** Monte, give us a break.

**Mr. Wildman:** Monte, the question is non-confidence in the government.

**Hon. Mr. Kwinter:** If my friends will read the motion, they will see why they are saying there is no confidence: we do not have a strategy for the United States.

The major export education promotion event of the year is Export Trade Month, held in October, to highlight the importance of exporting to the economic health of Ontario and Canada.

I should tell members that in 1984-85 there were 32 trade missions and fairs in the United States, followed by 34 trade missions and fairs in 1985-86. The number of trade missions and fairs to the US in 1986-87 was 37, while there were 32



trade missions and fairs to the US in 1987-88. There are an estimated 40 missions and fairs planned for the US in 1988-89.

In 1988-89, the ministry is planning to bring in over 100 US buyers and purchasing agents to visit potential Ontario suppliers and trade fairs and shows showcasing Ontario goods and services.

The reason I wanted that on the record, and to address the questions that came from the official opposition, is that if you read the motion of nonconfidence, the basis of it says in effect that we do not have a strategy for dealing with our largest customer, the United States, that we do not have any trade fairs or trade missions planned, while other provinces are very active.

I should tell all members that without question, and they can ask anybody in the international trade field, Ontario is far and away the most active province in Canada when it comes to expanding not only into the US market but into other markets as well.

I am sure members will know, and maybe they do not, that we also have trade offices in London; Paris; Frankfurt; Seoul, Korea; Singapore; Nanjing, China; Tokyo, and we are opening up one July 1 in New Delhi, India. What that is doing is getting the message out and getting trade missions with Ontario manufacturers to all of the markets in the world.

In the time that I have remaining, I would like to address some of the comments that were made by various members of both opposition parties dealing with the free trade agreement.

One, the member for Cochrane South held out a newspaper release that took place before the election and he said there would be no deal. I should remind members that when the Premier first met with the first ministers in Halifax shortly after his election, he was told by the Progressive Conservative Prime Minister that he would have the right to veto the agreement.

**Mr. Wildman:** That's what he said to us.

**Hon. Mr. Kwinter:** He was told that by the Progressive Conservative Prime Minister. At that time, he was also told that the auto pact would not be on the table. He was also told by the Progressive Conservative Prime Minister that energy would not be on the table. He was also told by the Progressive Conservative Prime Minister that any deal that did not provide security of access was not going to meet Canada's needs.

After the election, when we went to see the elements of the agreement, maybe not to our surprise but to our chagrin, we found that the

document had been so crafted that the veto power that had been promised had been taken away. We also found that the auto pact was on the table and had been severely gutted. We also found that energy was not only on the table but had been presented in such a way that it had taken control of our own energy policy away from us.

The other aspects of this agreement were similarly not adhered to in what we had been told we were going to get. The most critical one of all was that we were told we were going to get security of access. I am sure all members will know that means we were to have exemption from countervail and antidumping legislation.

As a matter of fact, Simon Reisman, the chief federal government negotiator, when he was asked about countervail and antidumping, said, "Any agreement which did not restrict the use of US antidumping and countervail statutes would not be worth the powder it would take to blow it to hell."

And what do we have? We have an agreement that does not give us anything we did not have before. That is not the opinion of the Liberal government, it is not the opinion of the Minister of Industry, Trade and Technology and it is not the opinion of the Attorney General (Mr. Scott) by themselves. This is a legal opinion presented to us by two of the most prestigious law firms in either country, Blake Cassels in Canada and Hogan and Hartson in the United States. We have taken a look at it. We have asked whether or not there has been a change, and there has not been.

Now the question has come up, "What are you going to do about it?" I say to members that we are not pleased with the fact that this document has been crafted in such a way that there is very little opportunity for us to challenge it at this time. However, and the Premier has stated this on several occasions, we have the Attorney General and his advisers examining all of the options that are available to us. I will say to all members in this House that, notwithstanding what is going to transpire over the next little while, we are committed to our opposition to the free trade pact.

**1720**

I would also like to correct a statement that was made by the member for Sault Ste. Marie (Mr. Morin-Strom) in his conversation, in which he said we had been saying all along that we are opposed to free trade. I want to be on the record, where we have been before, that we are not opposed to the economic concept of free trade. We are opposed to this deal because we think it is a bad deal; it is a deal in which we have given up

far too much for what we got. I want to state again that we will not implement any legislation that is required and we will maintain our opposition to this agreement.

**Mr. B. Rae:** I want to take the opportunity to join in this discussion we have had this afternoon on the fundamental question which we debate from time to time in this House: whether we have confidence in this particular government and, in particular, whether we have confidence in the way in which the government has handled the issue of free trade.

I cannot resist beginning by saying that we have been, I think it is fair to say, arguing in this House for several years now precisely what the government of Ontario either could do or would do to deal with the federal negotiations on free trade.

I want to simply recall the circumstances in which we found ourselves in 1985. First, we had the government of Mr. Davis and then the government of Mr. Miller, both of which basically endorsed the strategy of beginning discussions with the United States at the national level in order to implement a free trade agreement.

When the campaign of 1985 came along, which was just a little over three years ago, the leader of the Liberal Party, who is now the Premier of the province, made it very clear that he was opposed to a comprehensive, bilateral agreement between Canada and the United States. After his election, he slowly but surely began to move away from that position; indeed, I think we can say that this is a government which has lost its conviction by elections.

The first election was one which saw a minority House in this assembly, in which the Premier of the province consistently, between 1985 and 1987, had a simple, single message for those of us who told him he could do more. That message all along was: "Don't worry. You're in good hands. Don't worry. I've got a veto." The Premier was always willing to say, "We have the ability to stop this deal if it is a bad deal; but if we can get a good deal, then who could possibly be opposed?" That, if I may say so, is the position I think has consistently been taken by the Minister of Industry, Trade and Technology.

We have all recognized in this House, in the many questions I posed to the government prior to 1987, that the position of the government as expressed by its ministers and indeed as expressed by the minister, who was at that time the Minister for Consumer and Commercial Relations, obviously was: "Don't be extremist. Don't

be ideological. Trust us. Take our pragmatic stance, and we will assure you that if the deal is not a good deal, we'll be able to stop it in its tracks."

I could quote headline after headline in which the Premier told this House and told me in this House that he had a veto. When I raised questions about the auto pact, he said: "Don't worry. It won't be in the deal. In any event, if it is in the deal, don't be concerned, because I can stop the deal."

That is what he said. That was the position of the Liberal government between 1985 and 1987. If I may say so, we warned the government, rather consistently and with a sense of foreboding, that if it did not begin to mobilize opposition to the deal, to the concept, to the whole charade of an arrangement between Canada and the United States on trade, we would end up with a deal which we could not stop.

We warned the government of that. We said, "What are you going to do once the deal comes down and all that momentum is in place?" The Premier kept saying: "Don't worry. I want to assure you and other honourable members that you are in good hands. We will stop the deal." That was the alleged voice of pragmatism, the practical voice of the Premier.

Then we had an election, and how well I recall August 1987, a short few months ago, when the Premier announced downstairs in the media studio that he needed a mandate on free trade.

**Mr. Smith:** He already got it.

**Mr. B. Rae:** The member for Lambton says quite rightly that he got it. The member for Lambton is right, he got his mandate on free trade. The problem is, he has never been prepared to use that mandate once he got it. That is the problem we have.

So we ran the campaign. I must confess, politically a realist from the very beginning, I knew the state of opinion in this province with respect to free trade and the way in which people would perceive a battle between the provincial government and the federal government on this issue. We could all see what was happening as we were campaigning. People were saying: "Well, we like what you are saying on car insurance, and we like what you are doing on X issue or Y issue, but we are still worried about free trade. That is what we are worried about, and we want to give David Peterson that mandate."

That is what happened, on the basis of advertisements which my colleague the member for Windsor-Riverside has quoted on so many occasions—the bottom line, the six conditions he



outlined in the Windsor speech. Then he went to the brewery in Barrie and added a seventh condition. Whatever conditions he might have added, he made it very clear from the beginning that this was Ontario's bottom line, and Ontario would stop the deal. He kept on using the phrase "No deal."

As soon as the election is over—in fact, a few days later—the deal is consummated; it is signed. It is a short document, a few pages, agreement in principle. What is the reaction of the Premier? "Well, I don't know if I have a veto any more. I said I did, but now I am not so sure." Then he said, "But before I make a final decision, I have to see the final agreement."

My colleagues and I raised questions in this House, trying to point out that the government, which apparently had been elected to do something, was increasingly reluctant to do it, and each step of the way the Premier said: "I am waiting. I am holding my fire." This is a man who was holding his fire from 1985. "I have to wait for the final agreement."

There were several months, as everybody will recall, when the negotiators were negotiating and coming up with the final agreement. Finally in December 1987, just before Christmas, a few short months ago, we had the full, final free trade agreement—a lengthy, comprehensive document. The Premier's response: "I have to study it. I have to see what form the legislation is going to take before I can take a final position."

Again we waited. During that time, this House debated and passed a resolution in which the Liberals said, "We reserve the right to oppose," and "We will not be bound to implement," words that I described at the time as weasel words and sucker clauses, because they do not tell you what they are going to do and do not say what it is they are going to do; so nothing changes.

Then we have the process where the government says: "We can't launch a constitutional challenge on the basis of an agreement. We have to wait until we finally see the actual legislation." Finally, we got the legislation, presented by Mr. Crosbie last week, Bill C-130. What is the response of the government of the day to that? It is to say: "Well, the legislation isn't the final word. We have to wait for the regulations before we can move."

We go from a government in 1985 saying, "Trust us," to a government in 1987 saying, "Give us a mandate," to a government at Christmastime saying, "We need to see the legislation," to a government which, having seen the legislation, is still not prepared to act.

1730

In all conscience, it is not conceivable for me to give confidence to a government that has conducted itself in this way on this issue. I take my hat off to the public relations department of the Liberal Party. The day the government announces it is not going to be doing anything, on which it releases its so-called constitutional audit, at the end of the day, having denounced the document, having denounced the agreement, having said all the terrible things that would happen to Confederation if the bill were ever enforced, the government turns around to say: "Well, perhaps it will go to court, but that will depend on whether some provinces want to do it. It will depend on whether some private individuals choose to do it."

In other words, when the caving in and the backing down were as apparent as ever, the headline in the paper was "Free Trade 'Black Cloud' over Canada Peterson Says." So one can congratulate the Liberal Party for its public relations capacity, but when it comes to integrity in government, when it comes to fighting on behalf of those Canadians who are opposed to this agreement and when it comes to mobilizing every capacity and will of government to stop this agreement, then the Liberal Party of this province does not deserve the confidence of the people of this province.

There are many members opposite who are in favour of free trade. There are many business people who are close in their ties to the Liberal Party who are in favour of free trade. There are many corporate interests which are in favour of free trade, and yes, there are many corporate interests which are even in favour of this deal. What I cannot respect is a Premier who says, "We could get a better deal than this."

I am going to be quite blunt and I am going to say that I do not think it is terribly realistic for Canadians to think that there is somehow a magically better deal under the rubric of free trade.

People say, "The Americans haven't given us guaranteed access to their markets." Well, surprise, surprise. Why should the American Congress lie down when American workers are being laid off and say, "We are going to completely give up our right to intervene in our own economy." No self-respecting parliament would do that. No self-respecting legislature would do that. I cannot ask the American Congress to do something I would not be prepared to do as a legislator of this province and

that I do not think should be done in the Parliament of Canada.

I say to those who say, "Well, we're in favour of free trade, but it's some other deal out there that we're going to get," that this is an approach I cannot respect. I say to this government that whatever the headlines may say, I think the opposition of this government to free trade has been, is and will always be a complete and total sham, a fake from beginning to end; a fake because this government never intended to stop free trade, a fake because this government never intended to do anything to stop the deal, a fake because this government knew in 1985 that it could not or would not or should not do anything.

It has not changed its mind since 1985. It was precisely of the same mind in 1985 as it is in 1988; that is, that it will rhetorically oppose, that it will posture, that it will present itself as an opposition, but that it will not in fact do anything.

If I may just close, when it comes to the question of a constitutional reference, which is the last possible arrow in the quiver of government that this government has, what was the response of the Attorney General today? He said: "Well, the legislation, in fact, doesn't assert, enforce a federal right. The federal Parliament simply reserves the right to do certain things."

I want to say to the Attorney General, and I would offer this point to him quite simply, that if you are reserving the right to do something, you are asserting in legal terms that you have the right to reserve that right. The question that can readily be determined by a court is whether in fact the federal government of Canada has the right to intervene in provincial jurisdiction in the name of international trade.

That is the question: whether it will, to use the words of the old reference in 1981, affect the relationship between legislatures and affect the power of legislatures in our Confederation. That is the question. That can be determined. The Supreme Court of Ontario and the Supreme Court of Canada have the right, and I would even say the obligation, to tell us whether or not the federal government has the ability to do this.

I think, frankly, it is nothing short of shocking that this government has chosen, even at this late date, to back away from the very least it could do to indicate its opposition and to say it takes that opposition seriously. These guys are not prepared to offend the big boys. They are not prepared to offend the powerful interests. They are prepared to talk about how they feel, but they are not prepared to intervene on behalf of the people of this province and make sure and do

everything in their capacity to see that the deal does not happen.

That is the choice between us, and that is why, as I say, there is no way I am going to vote confidence in the Liberal government of Ontario.

**Mr. Brandt:** I welcome this opportunity to participate in the debate since I moved the motion. I also welcome the opportunity to put forward the views of our party with respect to the reasons we feel compelled to bring this nonconfidence motion before this parliament at this particular time.

We did not do so lightly. We did so after a great deal of thought and with a great deal of concern with respect to the proper and appropriate way in which to proceed with this particular issue. Our motion of nonconfidence was brought forward singularly because we have in fact lost confidence in this government's ability to deliver in either one direction or another with respect to the free trade question.

What is confusing to both of the opposition parties is that when you take a look at the policies of this government as they relate to the free trade issue, it is difficult to determine, difficult to understand whether the government of the day is in favour of free trade and therefore should be taking the necessary steps to prepare this province for a free trade agreement, or alternatively, whether this government is going to be consistent with the views that it expressed during the 1987 election and that have been talked about at great length during the course of the debates in this House, and oppose the deal.

What concerns us and why we have in fact been forced to bring forward a motion of nonconfidence is very specifically that this government has not taken action in either direction. They have not taken action to indicate they are in favour or that they are opposed. What they are attempting to do, in the way that only Liberals can feel comfortable, is to take the middle of the road and bring about no action whatever.

I have to tell the members that particular decision on the part of this government could be the most dangerous step of all, because those of us who favour the free trade deal are quite prepared to admit openly in this chamber that there are adjustments that are going to be needed. When we take a look at the deal, on balance, we feel this deal will bring a multitude of benefits to the people of Ontario. We feel there are some very substantive gains that can be realized by the people of this province, and I want to talk about



some of those very briefly today, if I have that opportunity.

But you know, I would ask myself, if I were a member of the 94 Liberals who sit over there and who are marching in lockstep to the tune of the Premier, who is playing the role of the drummer on this particular issue, why is it that the largest single province in the entire country happens to oppose a trade deal when fully seven out of 10 provinces are in agreement with the deal and the eighth province, namely, Manitoba, has a Premier now who also has indicated he is in favour of the deal?

If I may use as an analogy the two parents who were standing at the side of the road watching the parade go by, and as the parade went by they said, "Look at the parade; everybody is out of step but our boy Johnny," it is the same thing in this particular instance. According to the kind of logic we have been exposed to in this particular assembly, the kind of logic that has been expressed by the members on that side of the House, very simply it seems all of the other premiers, everybody else in the country, must be wrong because we in Ontario must be right.

1740

Well, I think the government is wrong, and, by this nonconfidence motion that we are bringing forward and that I am proud to move, what we are saying to the government, very directly, is that this government has an obligation to act and it has not.

Let me give members some of the facts on why my party feels so strongly about entering into a trade deal. Ontario sells more to the United States of America than all the other provinces in Canada combined. Now, that should frighten members because some of that export business is at risk and it is at risk because there is, in fact, protectionist sentiment in the United States.

Surely the Liberal members read the newspapers which indicate very directly that the United States is quite prepared to erect protectionist barriers against the kind of trade we are doing at this time with the United States of America, and those trade barriers could very well cost us industries, could cost us jobs and could cost us economic activity with our largest trading partner.

We hear it said on that side of the floor: "Well, there are alternatives to continuing to do business with the United States. We should not be so singularly attached to that market when there are other alternatives that we should pursue." I take great pride in the fact that the Minister of Industry, Trade and Technology and others have

quoted a former speech that I made when I said, and I quote myself from 1985, "Taking a multilateral trade route is the best route for Canada." I take pride in having said that because I want the members of the Liberal Party to know that there is not one single clause in this agreement which indicates that we cannot pursue multilateral trade activities as a result of signing the Canada-US trade pact.

Does that come as a surprise to members? Does it come as a surprise when I stand here publicly and I repeat that I too think we have perhaps too much dependence on trade with the United States, that we should, in fact, try to divert some of that trade to other countries of the world, and, guess what, we have been trying to do that for some long time?

Initiatives on the part of Canada and initiatives on the part of the government of Ontario have been focused on that option for some long number of years, decades in fact, in an attempt to do business with the European common market and in an attempt to do business with the Far Eastern countries. All those countries of the world that are, in fact, doing two-way trade with many nations of the world are logical customers for Ontario's and Canada's products. But the problem we find is that, because some of them have already entered into trade agreements with member nations, such as the European common market, and because of distance factors with others, we find ourselves in a position where we cannot be competitive in some of those particular markets.

So we happen to be a continental trader at the moment. We happen to be a country and a province which is in great part dependent upon trade with the US and, surprisingly, we are doing quite well at the moment with that particular trade.

For those members who lack confidence in Canada, for those weak-willed and spineless individuals who do not have the guts to go forward with the trade agreement with the United States, let me tell them that, at the moment, we happen to have a surplus in trade with the US of some \$20 billion annually, and that surplus is one that I want to protect with a trade agreement. That surplus and the jobs that are inherent in that particular amount of economic activity that we are doing with the United States are vitally and critically important to Canada and to Ontario.

The government would put that at risk by hoping—now listen to this for a really tough position. This is the Liberal position of the day: "We believe the status quo is the answer." In

other words, everything is going to be all right. Well, ask the pork producers when protectionist walls were put up against pork. Ask those who are in the fish industry. Ask those who are in shakes and shingles and softwood lumber and the steel industry.

Ask them in fact what happened when we were blind-sided because of the lack of having an economic agreement that we could fall back on. It cost us jobs in this province, it cost us jobs throughout Canada and it will cost us more unless we address our attention to the real need of the day, which is to secure a trade agreement with the United States.

We have lost confidence in this government because of those reasons and because of the reasons I wanted to mention with respect to some of the red herrings which not only this government but also others who are in opposition to the trade deal have put before the people of Ontario as being factual evidence of why we should not enter into a deal. Let me cite as an example the sort of red herring I am talking about.

The former Minister of the Environment of the federal Liberal government, until the year 1984, a gentleman by the name of Charles Caccia, has entered into the debate some concerns about the export of water to the United States, indicating that Canada should not enter into an agreement with the United States which allows us to export that very valuable natural resource.

Let me put that one to rest, because that is one of many of those red herrings which have been brought forward not only by members opposite but also by members in the federal House as well. There is nothing in the trade deal which allows for the export of water. We will not be exporting that natural resource. The only thing that is in the trade deal and the only thing that is being addressed as a matter of any consequence in that deal is bottled water, which is an export commodity we should be interested in selling when the opportunity presents itself.

**Hon. Mr. Riddell:** What blind faith you have.

**Mr. Brandt:** The Minister of Agriculture and Food says "blind faith." He has blind faith by not entering into a deal.

The other red herring which comes up frequently from the members opposite is the question of social services. We have heard them say repeatedly that our social services are at risk, our culture is at risk, our environment is at risk, our national identity is at risk, all of which is nothing more than nonsense. None of those things is at risk.

Interjections.

**Mr. Brandt:** Let me tell the Minister of Community and Social Services (Mr. Sweeney) that the biggest risk to his ministry, to the funding he gives to the underprivileged in Ontario, is a lack of economic activity to pay the bills. That is the biggest risk to his ministry. He shakes his head no. Liberals have never worried much about deficits and spending money, but I will tell him that there are people who are required to generate the wealth which goes to his ministry which is then redistributed to those who need that assistance.

**Hon. Mr. Sweeney:** Do you want to compare our programs with the United States? Do you want to compare what we have with what the US has?

**Mr. Brandt:** The minister now comes forward with the gem of them all.

Interjections.

**Mr. Brandt:** Now we have them going over there. The minister comes forward with: "Do we want social services at a level comparable to those in the United States?" No, Minister, we do not want a level of social services comparable to those in the United States. The next thing the minister is going to move towards—

**Mr. Speaker:** Order. Would the member for Sarnia address his comments to the chair, please?

Interjections.

**Mr. Brandt:** It appears I have some of the members opposite agitated, as well they should be, because I would be embarrassed if I had to take the position they have taken. I would be totally embarrassed.

To give another example of the kind of nonsense that comes forward from members on that side of the House, they also indicate, as the minister did a moment ago, that we will have a level of social services that will go down to the level of the United States.

**Hon. Mr. Sweeney:** That flag will be at every table of negotiations from now on.

**Mr. Brandt:** There is the mindset of the Minister of Community and Social Services. The mindset is that if you enter into what is strictly an economic deal, it automatically means a takeover.

I will tell him it is not a takeover. He is not going to get US gun laws in Canada. He is not going to get US environmental programs. He is not going to get any of the level of US services. None of that is going to happen. Just calm down.



What we are going to get is access to an American market which in fact generates a lot, if not most, of the economic activity that this province so desperately needs.

1750

Interjections.

**Mr. Speaker:** Order.

**Mr. Brandt:** You know, if you take a look at the various studies that have been undertaken with respect to this particular question, if you look at—

**Mr. Fleet:** Look at the facts.

**Mr. Brandt:** I wish the member would not let the facts bother him, because one of the facts I want to present this afternoon is the study that was undertaken by the C. D. Howe Institute. What it indicated—

**Some hon. members:** Oh, yes.

**Mr. Brandt:** This is not a Conservative firm. The C. D. Howe Institute is an independent group that comes forward with opinions on public policy. What it said, very simply, was that under a free trade agreement, jobs would be improved and increased and consumer prices would go down. That is what the studies have indicated.

Time has just about expired—

**Mr. Speaker:** The time has expired.

**Mr. Brandt:** —but I want to say to the members opposite that I appreciate their kind attention. I hope that I have changed the minds of some of them with respect to this deal. We stand proudly behind and proudly in support of a nonconfidence motion because—

**Mr. Speaker:** Thank you. Order. According to the standing orders, we will now deal with the motion of nonconfidence placed by Mr. Brandt.

The House divided on Mr. Brandt's motion, which was negatived on the following vote:

#### Ayes

Allen, Brandt, Charlton, Cooke, D. S., Cousens, Cunningham, Cureatz, Eves, Grier, Harris, Jackson, Johnson, J. M., Johnston, R. F., Laughren, Mackenzie, Marland, McCague, McLean, Morin-Strom, Pope, Rae, B., Reville, Runciman, Sterling, Swart, Villeneuve, Wildman.

#### Nays

Adams, Ballinger, Beer, Black, Bradley, Brown, Callahan, Campbell, Carrothers, Chiarelli, Cleary, Collins, Conway, Cooke, D. R., Cordiano, Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Faubert, Fawcett, Ferraro, Fleet, Fontaine, Fulton, Furlong, Grandmaître, Haggerty, Hart, Henderson, Hošek, Kanter, Kerrio, Keyes, Kozyra, Kwinter;

LeBourdais, Leone, Lipsett, Lupusella, Mahoney, Mancini, McClelland, McGuinty, McLeod, Miclash, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Offer, O'Neil, H., O'Neill, Y., Oddie Munro, Owen, Patten, Pelissero, Phillips, G., Poirier, Polsinelli, Poole, Ramsay, Reycraft, Riddell, Roberts, Ruprecht, Scott, Smith, D. W., Smith, E. J., Sola, South, Stoner, Sullivan, Sweeney, Tatham, Velshi, Ward, Wong, Wrye.

Ayes 27; nays 82.

The House adjourned at 6:03 p.m.

**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
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 ics and Minister of Financial Institutions  
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**Oddie Munro, Hon. Lily**, Minister of Culture  
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 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
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 O'Neill, Yvonne (Ottawa-Rideau L)  
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**Patten, Hon. Richard**, Minister of Government  
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 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
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No. 72

# **Hansard**

# **Official Report of Debates**

## Legislative Assembly of Ontario

**First Session, 34th Parliament**

Wednesday, June 1, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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Published by the Legislative Assembly of Ontario  
Editor of Debates: Peter Brannan



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario. Lists of members of the executive council and parliamentary assistants also appear at the back, along with the memberships of committees.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, June 1, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### MINIMUM WAGE

**Mr. Morin-Strom:** I am pleased to be able to present later today a petition, signed by 800 residents of Sault Ste. Marie, on the subject of minimum wage. This is a subject of concern to all of us in this Legislature when we see situations of working poor who are unable to support their families with levels of income that are above the poverty line.

I think this is an issue the government has to take a serious look at. I would ask the Minister of Labour (Mr. Sorbara) and the Minister of Community and Social Services (Mr. Sweeney) to act on behalf of these concerned citizens of Sault Ste. Marie.

They really have three requests in their petition: (1) that the legislation be revised so that the minimum wage covers all workers in Ontario without exception, which is not the case today in terms of certain exceptions; (2) that the minimum wage be adjusted automatically with inflation, not based on the arbitrary will and occasional generosity of the current government; (3) and most important, that the minimum wage be increased to a level so that all families are able to be supported by a standard of living that is above the poverty line.

I believe this is a very vital issue facing all of us in our society and I ask the government to give serious attention to this issue.

### HOME CARE

**Mr. Cousens:** On this, the first day of Senior Citizens' Month, I would like to bring to the attention of the House another case of the government not putting its money where its mouth is. This is the case of community-based care.

As we all know, there is a large percentage of seniors who have been placed and continue to be placed in inappropriate beds in hospitals. Not only does this put a strain on the already overtaxed hospital system, but it also causes great hardship for those seniors.

The reason seniors are forced into these unnecessary conditions is that this government continues to ignore its commitment to community-based care. If this government was willing to pay home care providers what they are worth, it could provide better and more humane care for seniors in their own homes. Instead, we have at least 50 per cent turnover rates in home care agencies, in homemaker agencies.

Let me give a specific example of one of the major problems in Ontario for seniors. The Sarnia-Lambton Victorian Order of Nurses administers a nursing program as well as the Ministry of Health's home care program. The ministry has awarded to the home care professional staff an increase of four per cent more than that awarded to the nursing program.

When a service provider sees a commitment like this, or rather the lack of one for these worthy programs, it is not surprising that he or she withdraws the service. Who is hurt most of all? The seniors.

### TOURETTE SYNDROME AWARENESS MONTH

**Mr. Neumann:** The month of June has been designated as Tourette Syndrome Awareness Month in Canada. "What is Tourette syndrome?" members might ask. Until late last year, I was unaware of Tourette syndrome. A November article in the Toronto Star about a similar awareness program in the United States drew the symptoms of Tourette to my attention. This led to a diagnosis for a member of our family, thus ending the frustration of not knowing what was wrong.

Tourette syndrome, a multiple-tic disorder of neurochemical origin, manifests itself in involuntary behaviour, such as motor tics and vocalizations. Early diagnosis is critical. Misdiagnosis can lead to the wrong treatment and thus to severe psychological problems.

While there is no known cure for this lifelong disorder, drugs are becoming more effective in controlling the symptoms in many cases. Public awareness can help to create tolerance and understanding for the Tourette sufferer. There are many undiagnosed children and adults in our society. Greater awareness can lead to proper



diagnoses. Frustrated families and individuals will then understand what they are facing and will learn to cope effectively.

Today we have present with us in the members' gallery Louise Rosenbloom, national president of the Tourette Syndrome Foundation of Canada, and David MacLachlan, director and past president. We urge members of this House to become better informed about Tourette syndrome. Help us to achieve improved awareness in all of Ontario's municipalities.

#### RENTAL HOUSING PROTECTION

**Mr. R. F. Johnston:** Section 6 of the Rental Housing Protection Act says that tenants cannot be asked to vacate a building until the municipality has first granted approval for the renovation requiring the vacation and that the certificate of such approval must be attached to the notice.

The landlord of 1 Rannock Street in my riding has flouted Bill 11, much as was the case in the Rafael case, which most people have read about again today in the *Toronto Star* where, working without work permits, people were put out on the street and now, months after the fact, are trying to get themselves some redress.

The tenants in my riding have been given notice that they are to leave as of the end of this month. They have been told the landlord will not accept any more rent from them, that he is taking their last month's rent as paid and that they must all leave. He claims he has work permits, which the city of Scarborough tells me have not been issued to him. He has already started the demolition that is involved and he seems to be acting while knowing precisely what the law is, because we have informed him from time to time.

I must ask the Minister of Housing (Ms. Hošek) today to intervene personally in this matter, to indicate to this landlord what the act says and that he must not threaten any more as he has. "If people give a hard time to the landlords, they will never return to this building," he says.

This is unacceptable practice. The minister for once should intervene before the tenants are evicted and on the streets, instead of waiting for the kind of travesty that we have seen with Mr. Rafael's apartments.

#### WASTE DISPOSAL

**Mr. McLean:** My statement is directed to the Minister of the Environment (Mr. Bradley). The minister's meddling in the garbage crisis in Simcoe county and throughout the rest of Ontario has resulted in trash being hauled from one

municipality to another at high tippage fees and exorbitantly increased taxes. The people are already being taxed enough.

Last year the minister closed the Pauzé landfill site and directed six north Simcoe municipalities to transport their garbage to the Keele Valley landfill site north of Toronto. The taxpayers were disturbed about the increase in their municipal tax bills because the \$18-per-tonne tippage fee was to be charged at the Keele Valley landfill site. Then Metro Toronto turned around and raised that tippage fee at its two landfill sites to \$50 per tonne from \$18 for private haulers, but municipalities were supposed to pay only \$13 to \$15 per tonne. This rule apparently does not apply to the six north Simcoe municipalities that are still paying the \$50 tippage fee.

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The minister's lack of leadership, poor planning and outright meddling have resulted in tonnes of garbage travelling the highways of Ontario, landfill tippage-fee policies that treat some municipalities as private haulers and increase taxes for people who are already staggering from his government's massive tax grab. The minister's efforts to solve this province's growing waste disposal crisis is nothing but garbage, and the people of Ontario will not only want to recycle this government, but they will want to dispose of it.

#### RAVI VAKIL

**Mrs. LeBourdais:** I stand in the House today to inform all members of the recent accomplishment of Ravi Vakil, an 18-year-old student at Martingrove Collegiate Institute in my riding of Etobicoke West. Ravi competed with 389,000 other high school students from across Canada and the United States to win the US Mathematical Olympiad.

Ravi is no stranger to awards honouring his abilities in math, but his interests extend to active involvement in many extracurricular activities at Martingrove Collegiate along with his regular studies. Ravi is a fine example of what young people are capable of within the standards of excellence this province has set for our educational institutions.

I would like all members to join with me in wishing Ravi the best of luck as he travels with the Canadian Olympic math team to Australia for the International Mathematical Olympiad, and when he begins his studies at the University of Toronto this fall where he will be studying international relations, economics, computer science, physics and math.



## NATIVE LAND CLAIM

**Mr. Wildman:** The intransigence of this government and the failure of the Minister of Natural Resources (Mr. Kerrio) and the Minister of the Environment (Mr. Bradley) even to consider the land claim in the Temagami area have produced a potentially very serious situation on the Red Squirrel Road today. As the minister will know, the Bear Island band is occupying the road and is determined to prevent its construction from beginning.

I hope the Minister of Natural Resources will prevail upon his colleague, the minister responsible for native affairs (Mr. Scott), to begin a serious negotiation of the land claim so that it can be settled in a responsible way, rather than leading to an escalating situation which could result in something like Wounded Knee.

## STATEMENT BY THE MINISTRY

### TRANSIT SERVICES FOR THE DISABLED

**Hon. Mr. Fulton:** Today I am pleased to announce details of an increase in funding to enhance specialized transit services for disabled persons throughout Ontario. My colleagues in cabinet, the ministers without portfolio responsible for disabled persons (Mr. Mancini) and for senior citizens' affairs (Mrs. Wilson), were of great assistance in formulating this expanded spending program.

An additional \$50 million over five years, including \$8.2 million in 1988-89, will be used to increase the quality and extent of existing specialized transit services and to widen the eligibility guidelines for service recipients. With this additional funding assistance, it is estimated that a total of 2.3 million trips will be provided for disabled persons in the 63 participating municipalities across the province.

It will also result in the addition of 125 buses to existing fleets, increased use of microcomputers for greater efficiencies in dispatching and improved availability of trips to adjacent municipalities. These new buses will bring the total of special buses for the disabled, operated directly by participating municipalities, to 525. That is an increase of 30 per cent.

We will be expanding the provincial eligibility guideline beyond the current "unable to board regular transit vehicles" to recognize those persons with other mobility problems which preclude their use of conventional transit.

This initiative is consistent with recommendations in *The Freedom to Move is Life Itself* report

prepared by the Ontario advisory councils on disabled persons and senior citizens.

As well, I would like to emphasize that the finalization of this guideline will be pursued through consultation with municipalities, operators and groups representing persons with disabilities. We will be contacting these groups across the province to request their comment on the proposed eligibility guideline and its implications. The expected deadline is September 1988.

Full implementation of this new guideline is expected by January 1991, which will provide municipalities enough time to adjust their budgets and acquire any additional vehicles without compromising services to existing users. Those municipalities which are ready will be permitted to implement the new guideline as soon as possible.

Recognizing that specialized services will always be required by the more severely disabled, it is essential that we provide adequate service levels.

Another program advancing rapidly is the provision of accessible taxi service for the disabled. The first service has been running in Sudbury for nearly three months now, while Ottawa, Markham, Sault Ste. Marie, Kitchener, Richmond Hill and Pearson International Airport are planning to introduce accessible taxis, subsidized by the Ministry of Transportation.

We are also advancing on a broad range of other transportation initiatives for all disabled and frail elderly persons in Ontario. I hope to announce further details in the near future.

## RESPONSES

### TRANSIT SERVICES FOR THE DISABLED

**Mr. Allen:** I would like to respond to the announcement by the Minister of Transportation (Mr. Fulton) with respect to the additional funding for specialized transit services for the disabled.

The first thing that needs to be said, of course, is that expansion of the specialized services is badly needed. There were over 4,700 instances of trips asked for in the Wheel-Trans system alone last year which the system was not able to meet, and that is certainly true across the province as a whole.

Just the other day I had a complaint in my office from a disabled person whose complaint obviously indicated that the Hamilton system was under some pressure to meet the demands of service there and that the office system of allocating rides was obviously under pressure from lack of funding by virtue of a lack of



personnel who could keep the system operational, moving and meeting all the demands placed upon it.

However, I want to say to the minister that when he says this meets the request of the study that was done by the Ontario advisory councils, entitled *The Freedom to Move is Life Itself*, that is not entirely correct. If I look at some of the key recommendations of that study, it says in the first instance "that the provincial government make a commitment to develop a fully integrated transit system to meet the needs of all Ontario residents by 2010" and further, "that the provision of all provincial funding for transportation be contingent on criteria for a fully integrated transportation system being met."

The minister has not responded at all to those fundamental requests from *The Freedom to Move is Life Itself* study, nor has he responded to the disabled community in its attempt to get a memorandum of agreement from him, in which he would provide a staged-in expansion of the specialized services where the municipalities do not now have them and a staged-in integration of specialized and completely fully integrated systems across the province as a whole.

It is quite obvious that the disabled community is not hugely impressed, although it appreciates the specialized service. Its representatives, for example, are prepared to be quoted as follows: "Many years ago the United States had a system called *Separate but Equal*, but you cannot be separate and equal at the same time." The simple fact is there is no guarantee that the municipalities, when they do go into specialized services, will provide a fully accessible integrated service for their disabled people.

The communities in question are obviously short of funds. They have to back up on their property taxpayers in order to meet the immense costs of both specialized services and of fully accessible public services.

We were told at the National Access Awareness conference, sponsored by the Speaker—which you graciously sent some of us to, Mr. Speaker—by the president of the Canadian Federation of Municipalities that they were not prepared to put money into a fully accessible integrated transit service for the disabled.

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I would be impressed if the minister were to stand up and tell us several things: first, that he is prepared to write legislation that will require minimum standards of access to all public transit systems where they are in place across this province; second, that he will provide funding,

which he does not provide now, for modifications to provide for full access to transit systems; third, that he would move the subsidy rate from 75 per cent to 90 per cent for the minor modifications which he now does fund, but engage in an active program of making certain that the communities in question actually access that funding.

At the present time, there is very little takeup of that funding that he provides. The problem centrally is that this announcement does not really tell us that across the front and, in particular, with respect to fully accessible public transit in this province, the minister will act, in fact, in a proactive, energetic, aggressive way to provide the disabled community with what it has asked for, for so long.

**Mr. Cousens:** It is appropriate that we recognize it is important that we are doing more to service the needs of seniors and the disabled. The kind of announcement that the Minister of Transportation has shared with the minister responsible for disabled persons and the minister responsible for senior citizens' affairs is an important and welcome announcement.

We all know that we want to see full involvement by our seniors and by those who would otherwise not be able to get around, and that they have access to public transportation. They have problems that can be helped and can be aided. It is important that we remember that.

So the commitment that we see the minister presenting today is something that is really a sense of welcome news for those who are seniors. It might give them a chance to use public transit to come down to see what else the Liberal government is doing for them. When they get here, they might not be happy with everything else they see. There are enough other things that I could comment on, but I would rather stay with the subject of seniors and the disabled.

I wonder why it is the government has not done more to help that senior or disabled person who has a car to have a parking spot and to have some way of co-ordinating protection of that through local police forces. That little sticker and that little identification on the licence plate do not mean as much as they should. I think all of us need to have more respect for that.

I wonder what the government is doing about integration of services for seniors and the disabled between the regions of York, Durham and Peel and Metropolitan Toronto, because a person who needs transportation services from York region or from Peel or some other area into



the city cannot always get it. Also, the time that it takes to get it is another problem.

But the impossibility of crossing that Berlin Wall between the municipalities and Metro Toronto is something that is still a barrier for many of them. So I would like to see a better degree of integration of those services in the greater Toronto area, which the minister described in the road map which he presented last week.

What about weekends and evenings? Is the minister saying, by this announcement, that those seniors or those disabled people who are going to need Wheel-Trans can obtain that service in nonregular hours? What about the Wheel-Trans people going on strike again? We are just over that one. I notice the minister did not make this announcement when they were out on strike.

Obviously, there is still a problem there and people forget very quickly the problems that were felt by the disabled and those people who use these services just a short time ago, because when they wanted to use them, they just could not get on them.

So let us look at the whole context of providing excellent services for those who are our seniors and those who are our disabled. We have a challenge in this province to help get people around, to help them travel from A to B. It is not happening as easily as this minister would make us believe. We still know there is a great deal to be done. Seniors who live in Peel, York or Durham do not get the benefit of reduced rates in Metropolitan Toronto even though Ontario tax dollars do a great deal to subsidize the Toronto Transit Commission. That is another thing that could be done.

We like to be positive where there is a place to be positive and I am in the sense that there is action being taken. But there is still so much more that needs to be done that will truly understand what is needed for our seniors and the disabled. It does not always take money. It takes a little bit of enforcement of the rules, a little bit of following through and a little co-ordination with the regions in the areas outside.

**Mr. McLean:** I would like to respond briefly to this announcement by the minister today, because yesterday my constituency office had several phone calls with regard to a program the government has with regard to the disabled and seniors who are in need. They wanted to have ramps built. The minister had a program whereby he would fund this type of help that seniors and

the disabled need. We find out now that this fund is out of money.

There are people in wheelchairs in a home in Orillia who wanted to get out to get some sun and warm weather who cannot get out because of the facilities not being there. His government made the announcement that it would provide funding for that. We see now that the funding has run out. I hope this does not happen to the funding the minister has announced today. The Orillia Ability Association is looking for some help in what he has announced. I do hope he follows through and makes the funds available so that they can enjoy life like the rest.

#### TABLING OF INFORMATION

**Mr. Harris:** On a point of order before we get to question period, Mr. Speaker: I am rising under standing order 88(d), really on two aspects. Standing order 88(d) requires an answer to Orders and Notices questions within 14 days. First, there are now 27 questions on the order paper that have been there over 30 days, some from 1987, with no substantive answer. Occasionally, we get some answers on issues that are less sensitive, but clearly—

Interjections.

**Mr. Speaker:** Order.

**Mr. Harris:** I think it is pretty obvious, as to getting substantive answers, that there is a strategy in place to delay answers to those questions that will be a political embarrassment for the government. Mr. Speaker, you have always brought those to the attention of the ministers and I would appreciate it if, on the first part of my point of order, you would do that again. It clearly is not living up to the spirit of the standing orders. I do not think there is any room for flexibility.

The second part I want to speak to is that there must be an answer of some sort within 14 days or the government is in violation of the standing orders. Mr. Speaker, I am asking you to intervene with the interim responses and the nonanswers, but technically it appears to me as though this House is now sitting, as I speak, in violation of the standing orders. I refer you to questions 89, 90, 91, 92, 106, 108, 109, 110, 112, 113 and 118, where there has been no answer forthcoming in excess of 14 days, not even an interim answer. I ask you, Mr. Speaker, whether this House can sit in violation of the standing orders and if in fact—

**Hon. Mr. Ward:** You just want the day off.

**Mr. Harris:** Either we respect the standing orders or we do not.



Certainly, we know the spirit has been violated many, many times, but now I am asking you, Mr. Speaker, whether in fact this House can sit right now in violation of the standing orders. If in fact it cannot, then I suggest the House adjourn until the standing orders are being complied with.

**Mr. Breagh:** I would just briefly like to address the same point of order. I have had on the Orders and Notices paper for some period of time now question 97, where I asked the Ministry of Government Services to simply list all lands the province owns in and around Metro. I was surprised the government did not know. They did give me an interim answer that said they did not know what it was and that it would take a somewhat longer period of time to put that information together.

**1400**

I was surprised this morning to read in the *Globe and Mail*, on page A4, the answer to my question. I believe that if we are to write to the *Globe and Mail* to get answers to our written questions, we should change the standing orders to say so; but if that is not the case, if there is a written question on the order paper and we take the time to publish that question and to expect the ministries to reply to us, we deserve the courtesy of a reply here first before it is published in the newspapers.

I believe we are currently out of order. I believe there is a matter of some privilege here, and mostly because the practice has now become so widespread that one does not get answers to written questions any more. If one is lucky, one will find it printed in the *Toronto Star* or in the *Globe and Mail* before one gets an answer in the Legislature.

**Hon. Mr. Conway:** I would want to say for the benefit of my friends opposite that scarcely a day passes that I do not table in the House answers to the several questions that are routinely put by our friends opposite.

**Hon. R. F. Nixon:** The question is, do they read the answers?

**Hon. Mr. Conway:** The Treasurer properly observes as to whether or not these answers are read at all, but the point I want to make to the Leader of the Opposition (Mr. B. Rae), who has returned from Richard III in good health, is to say to my friends opposite that somehow, some of the questions are of very considerable complexity.

The point is well made and we will certainly continue to do all that we can to make sure that full and complete answers, including those to

questions that are of very great complexity, are provided as quickly as we possibly can.

**Mr. Speaker:** I have listened very carefully to the point of order raised by the member for Nipissing (Mr. Harris) and then the comments by the member for Oshawa (Mr. Breagh) and the government House leader. I believe the matter has certainly been drawn to attention now, which should be done, and I hope that because of the numbers which you placed on the record today, it will be looked after immediately by the government House leader.

As far as the second part of your point of order is concerned, the suggestion that possibly the House is out of order sitting, at the moment I cannot see any reason why the House should not sit because that standing order has not been fulfilled.

**Mr. Reville:** On a point of order, Mr. Speaker: The Minister of Government Services (Mr. Patten) seems to want to say something.

**Mr. Speaker:** Order. That is not a point of order.

#### COMMITTEE CHAIRMAN'S COMMENTS

**Mr. Sterling:** On a point of order, Mr. Speaker: I believe I have a point of order which is very, very serious. Last week in the standing committee on finance and economic affairs, a group of citizens in this province was badly treated by that chairman, and in an uneven, unfair manner.

The group is called the Alliance for the Future of Young Canadians and represents a national group of about 16,000 individuals, is independently financed and happens to be in favour of the free trade agreement. This group phoned the chairman of the committee, the member for Kitchener (Mr. D. R. Cooke), who unfortunately is not here. I would have preferred him to be here. This group was told by the Canadian Importers Association, which was scheduled to appear on May 26, that it could not appear and it asked this particular group if it would not go and make its presentation instead, or offered it to the group, not knowing the system.

This group phoned the chairman. He apparently took it upon himself to deal with this group. I want to quote from Hansard of the standing committee last week and I want to tell you the tenor of this particular response.

This group "apparently was coming out of Ottawa, was prepared to get on a plane, come down here and give a presentation, fresh from having met with Donald Macdonald. Frankly, I do not know who would be supplying their plane



tickets, but I smelled a political rat and suggested that we were not particularly interested in hearing from them."

Interjections.

**Mr. Speaker:** Order. I am listening to the point of order.

**Mr. Sterling:** If you read on in the Hansard, the chairman then went about that evening phoning an individual to try to get somebody to replace that particular slot the next day. He, in fact, was not even able to contact that individual that night and had to make a phone call the very next day.

Mr. Speaker, I do not believe that this group, who first of all phoned the clerk of this committee and complained about these remarks, which they heard about secondhand, should be treated that way regardless of their political view. Quite frankly, I thought this was a political forum in which people came to express political views as well as giving any other kind of opinion that they might give.

I really do believe that the chairman has impugned the privilege of every member of this Legislature and what, in fact, that committee was set forth to do in its duties. I can see no other honourable fashion or honourable path for that chairman but to resign from the chairmanship of that particular committee.

**Mr. Speaker:** I have listened very carefully to the comments by the member for Carleton (Mr. Sterling) and I took particular note that every comment made referred to what took place in a committee set out by this House.

As is the usual custom, all matters dealt with by the committee, at the committee, are resolved by the committee. I would suggest to the member that the appropriate place to take that matter would be back to the committee, and, if the committee so desires, report on that matter to the House.

Interjections.

**Mr. Speaker:** Order. I beg your pardon.

**Mr. Sterling:** Mr. Speaker, with regard to your ruling—

**Mr. Speaker:** No, I am sorry. Order.

## ORAL QUESTIONS

### WORKERS' COMPENSATION

**Mr. B. Rae:** I have a question for the Minister of Labour. In every lawsuit brought before the courts that tries to establish a right to sue, the Workers' Compensation Board response is always, and indeed in the most recent lawsuit was,

that the reason there is no right to sue is a tradeoff which gave workers, and I quote, "a generally more valuable right to guaranteed benefits which are received promptly and without regard to fault."

That is the so-called covenant that was originally made in 1915 with injured workers across this province, that in giving up their right to sue at common law, workers would have a right, to use these words, "to guaranteed benefits which are received promptly and without regard to fault."

I want to ask the minister to address a particular problem. Those workers who have been awarded a pension by the Workers' Compensation Appeal Tribunal for the sole and simple reason that they are suffering from chronic pain—all of those workers, and there are now about 15 of them who have been awarded such pensions by the appeal tribunal—are not receiving their benefits, even though they have been ordered to receive benefits by the appeal tribunal, because the compensation board says it wants to study the issue—

**Mr. Speaker:** Put your question please.

**Mr. B. Rae:** —and is studying the issue and is studying the issue. Why should that study prevent these workers from getting the benefits they deserve?

1410

**Hon. Mr. Sorbara:** I am delighted the Leader of the Opposition has referred back to that initial pact which goes right back to 1915, when the workers' compensation system was introduced in this province. I think it is important, as we approach reform in the workers' compensation system, to remember the words he has quoted. That was a historic tradeoff and we have to keep that in mind.

The Leader of the Opposition raises the issue of those claimants who are claiming on the basis of chronic pain. He knows the real issue right there, which was before the Workers' Compensation Appeals Tribunal, deals with the issue of retroactivity. On the one hand, as he knows, the board had enunciated a clear and rather specific policy on the issue of retroactivity. When these cases came before the Workers' Compensation Appeals Tribunal, and as a result of hearing a number of cases collectively, the appeals tribunal developed another view of retroactivity and the date back to which a claimant should be able to refer in order to mount a valid claim.

I do not think the Leader of the Opposition should think it is unusual that the board would want to look further at the matter, given the fact



that the board itself, the corporate board of the workers' compensation system, had done an analysis and developed one view of retroactivity, and now the appeals tribunal has another.

**Mr. B. Rae:** What we have is an appeals structure that cannot work on behalf of workers if, every time the board receives a decision it does not like, it says, "We're not going to recognize that decision, we're going to overrule that decision and we're going to stick it to that decision and stick it to the workers who've won that battle," after, in many cases, applying for pensions for several years. Some of those workers have been waiting for a pension for years and years and years. They win at the appeals tribunal and then they still do not get the money. That is the kind of injustice these workers are facing in the province.

Specifically, in a supplementary to the minister, I wonder if he can tell us why he is still so wedded to the idea of turning the compensation system into more of a means-tested welfare system, as was suggested by Professor Weiler, when he knows full well that approach has been rejected by every single injured workers' group in this province.

**Hon. Mr. Sorbara:** I would like to deal with the first part of the question of the Leader of the Opposition and agree wholeheartedly with him that if we had a system that had every single decision of the appeals tribunal overturned by the board, we would have a system that would be in complete chaos, but we do not have that kind of system. We have a system where the appeals tribunal deals with hundreds and hundreds of cases. By and large those cases are dealt with expeditiously and resolved, and a determination is made as to whether or not benefits are going to be paid.

There are some areas, a few areas, where very large issues of policy arise. I acknowledge to my friend the Leader of the Opposition that in the case of retroactivity in the area of chronic-pain claims there is a very large issue of retroactivity. The appeals tribunal and the board have studied these matters extensively and have come to different conclusions. That matter is going to have to be resolved.

**Mr. B. Rae:** In favour of the board.

**Hon. Mr. Sorbara:** No, not in favour.

As to the second part of the question, the board has said it will look at that issue.

**Mr. B. Rae:** The minister chose not to answer my question. He chose not to answer the question I asked him, which is why he is still married to a

concept which was rejected when the Tories tried to foist it on injured workers in 1983. The minister is reviving it in the name of so-called reform.

There are widespread rumours now, very widespread in the injured-worker community, that it is the minister's intention to force a tradeoff on workers, saying, "We are going to insist that you accept Weiler," which means turning compensation into a welfare means-tested system, "but we are going to give you a little bit of something on reinstatement and rehabilitation."

Why is the minister putting injured workers into this position, where they are going to have to come to terms with a proposal on means testing and on income testing and on turning it into a welfare system, which they cannot accept, in exchange for something they have been asking for in terms of simple justice for a long time, that is, the right to reinstatement and rehabilitation. Why not let reinstatement and rehabilitation stand on their own?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Sorbara:** I do not base the initiatives I take on widespread rumour, nor do I pay much attention to widespread rumour.

**Mr. B. Rae:** I have nothing else to go on. I do my best.

**Hon. Mr. Sorbara:** The member does pretty well.

I just tell my friend the Leader of the Opposition that in attempting to bring about significant reforms to the workers' compensation system, I do not think it is appropriate simply to say what that community wants, what another community wants and what a third community wants, because if we take that approach, we can never really undertake reforms that will make the system a better system.

I do not think my friend has any premium on a concern for injured workers. We all have to be concerned to give injured workers a better system. In the reform package that I propose to present to this Legislature in the future, I expect the system we are proposing will be a better system for all the players in the system, including the injured-worker community.

#### MASSEY WORKERS' BENEFITS

**Mr. B. Rae:** My question is for the Deputy Premier in his role as the midwife of the Massey-Ferguson creation of the Massey Combines Corp. and the Varity Corp.



Along with my colleague the member for Hamilton East (Mr. Mackenzie), I attended a demonstration this morning outside the annual meeting of the Varity Corp., attended by 300 or 400 people, many of whom I am sure are constituents of the Treasurer, as they are of the member for Brantford (Mr. Neumann). Both those members were sorely missed and were asked about by many of the workers there.

I would like to ask the Treasurer if he can tell us, at the time the Massey Combines Corp. was formed with the approval and participation of the government of Ontario, why the government of Ontario did not ensure that those workers who were retired or who were about to be retired were guaranteed that the benefits they had negotiated over the last 30 years would be protected regardless of what happened to Massey Combines Corp.

**Hon. R. F. Nixon:** I hope the Leader of the Opposition had the presence of mind to remind my constituents that I was attending cabinet this morning and doing my duties as I felt I should do them. Knowing the Leader of the Opposition as well as I do, I feel sure he was prepared to do that.

The question about the restructuring of the old Massey firm into Varity and Massey Combines was a very difficult one at the time, because the alternative was that the whole operation would go into receivership and be lost to the economy of the country and the province, and particularly the city of Brantford. There is no doubt that at the time the review of the reformation of the endeavour was examined very carefully by the officials of government and we felt all the appropriate protections were in place.

Certainly, as Minister of Financial Institutions, it has been my duty to examine the insufficiencies as carefully as I possibly can, and I must say there are some involving hospital payments for people who felt they were properly protected by insurance coverage which turned out to be no coverage at all. That is just one instance which has given us a great deal of difficulty.

It is certainly our intention to see that the surviving portion of the old Massey-Ferguson corporation will bear and assume all the financial responsibilities that are its under the law. My aim in that regard may take some time to be fulfilled, but I understand the Leader of the Opposition and his colleagues have entered into a suit in this regard, and that may be helpful.

**Mr. B. Rae:** The Treasurer is going to be on the other side of the lawsuit, so I do not know how helpful he is going to find it. The feeling

among the workers involved is that he was at the table and he was the midwife in this abysmal proposition. There is a great feeling among the workers of that part of the world that he shares a responsibility for the fact that they have lost their benefits.

I would like to ask the Treasurer why the government condoned the deal, when the King Street property which, as the Treasurer will know, is worth about \$40 million—and there was another swap with Brantford city with respect to the downtown site for Massey House which was \$900,000 plus in cash—went to Varity Corp., which stayed alive, which was the phoenix that rose from the ashes. All the liabilities, the rights of the employees who had worked for Massey, who had never worked for Varity in their lives and never worked for Massey Combines Corp. in their lives, went to a company which Varity and the government knew full well was shaky from the very beginning.

**1420**

The question I have for the Treasurer is, why not at least make Varity, which is still there, with Victor Rice making his \$300,000 or \$400,000 a year and the directors doing just fine, responsible for the retirees rather than a company which everybody knew was shaky from the very time it was set up?

**Hon. R. F. Nixon:** The honourable member surely has a short memory. In the days when this restructuring occurred, there were people like myself who were optimistic enough about the farm economy to think that prices would resurge and that Massey Combines might very well have been a continuing and productive aspect of the economy of the province, not only maintaining employment but improving it.

Unfortunately, that was not the case and the farm economy has remained in dismal circumstances. The sales of combines went down year by year to disastrous levels. For a number of reasons, not the least of which was the cost of production at the Brantford plant, it was not possible for it to get other manufacturing processes. The net result was, as the honourable member knows, that the functioning of Massey Combines came to an end and we are in the difficulties he has described.

In reference to this lawsuit, perhaps I was a bit more facetious than I should have been in referring to that, knowing the political proclivities of the Leader of the Opposition.

**Mr. B. Rae:** I have no idea what my proclivities have to do with it.



**Hon. R. F. Nixon:** You were playing politics with an important matter.

**Mr. B. Rae:** I tell the Treasurer exactly what I am doing. I take my politics very seriously. When workers get shafted the way they have been shafted by the company involved and when the government has been there and sat back and let all the liabilities go to a company which was in trouble from the very beginning and let all the rich assets go to Varity Corp., which just took off and then went into all the other fields, and the workers end up having to take their loved ones out of a nursing home because they can no longer afford it, something is screwy.

The question I have for the Treasurer is, why would those employees of Massey-Ferguson in this city and in Brantford not be associated with a company which was going to be successful when they retired rather than with a company that was in trouble from the very beginning? Why not at least ensure that they get the benefits and they get those guarantees for as long as they live, and not as long as it is convenient for the government of Ontario?

**Mr. Speaker:** Order. The question has been asked, twice.

**Hon. R. F. Nixon:** Unfortunately, the clairvoyance that the Leader of the Opposition claims for himself was not available to us at the time that the arrangement was made. The alternative was that the whole shebang would go into receivership and down the drain. This was an approach taken in a joint agreement by the government of Canada and the government of Ontario, which was a valiant attempt to keep the jobs and the prosperity not only of Brantford but of Ontario and to keep one of the major farm-machinery production companies of the world operating and productive.

It is a great regret for me—members may believe it or not, even more for me than for the Leader of the Opposition, who has lately come to this important matter—that the company went into bankruptcy and we have had to face the difficulties that he has described at the top of his lungs.

#### HOSPITAL SERVICES

**Mr. Brandt:** My question is for the Premier and it relates to a matter in the Premier's home riding. I wonder if the Premier can tell us whether, in his opinion, the administrator of St. Joseph's Hospital in London is—and I ask for only his opinion—a good or a bad administrator.

**Hon. Mr. Peterson:** Everybody in London is absolutely wonderful at everything.

**Mr. Brandt:** The member for London North (Mrs. Cunningham), with the tremendous support she received very recently, would concur with that statement. I appreciate the Premier's mentioning that.

The reason I raised the question—

Interjections.

**Mr. Speaker:** Order.

**Mr. Brandt:** The reason I raised the question, if I might shout over the Treasurer (Mr. R. F. Nixon), who is interjecting without reason at this point, is to ask the Premier whether he concurs with the statement that was made by the Minister of Health (Mrs. Caplan)—who is not here today or I would have addressed the question to her—that if you have a surplus in a hospital budget, you are by definition a good administrator, the inference being, and the minister did not say this, that if you have a deficit, by definition you have to be a bad administrator.

I would like to put before the Premier the proposition that the hospital in London I have referred to, namely, St. Joe's, is operating in a deficit, and I wonder if he would like to dissociate himself from the inferences made by the Minister of Health in this regard.

**Hon. Mr. Peterson:** In political life, one has to handle a lot of issues and a lot of people react in strange ways. They draw their own inferences from things that are done here. I cannot account for the inferences the member draws from the minister's statements, or from mine for that matter. I cannot account for the weird explanations he draws from these things. I say to my friend I can only judge normal behaviour; I cannot judge these abnormal inferences he draws.

**Mr. Brandt:** There is nothing abnormal about an inference for which I will quote directly from Hansard as it relates to the statement made by the Premier's appointee to that particular ministry, namely, the Minister of Health. She said very clearly, "I am hearing...from the good managers who bring in balanced budgets." That is very clear. I think it is very simple. It is not stretching the logic to assume, therefore, that if you bring in a deficit, you are a bad manager.

I want the Premier to know that we in this party want to dissociate ourselves from that kind of an extreme position on the part of the minister, where if you are able to bring in a surplus in a hospital budget, that makes you a good administrator, and if you bring in a deficit, you are a bad administrator.



Will the Premier indicate that he will review, along with the Treasurer and with the Minister of Health, the very good administrators who, through no fault of their own, are showing up with a deficit? About half the hospitals in this province, I might add, are showing up with a deficit. Will he review those deficits to see if the government can fund some of the needed programs to assure the people of Ontario that hospital beds will not be shut down? Will he do that?

**Hon. Mr. Peterson:** The honourable minister has said in this House on many occasions that she is determined to maintain a level of quality service across this province. The member recognizes the problem, as I do, of hospital deficits. They are being reviewed right across the province and we are putting a premium on good management. Regularly, the member castigates this government for bad management and then he presumes to say that others who are running deficits have good management.

I draw no inference one way or the other in a particular case except to say that there has to be a discipline in the system and it has to be co-ordinated in conjunction with the institutions that exist, be it the district health councils or whatever. We are getting the best advice we can and we are working closely with the hospitals to make sure we guarantee a high level of service across this province, and we are going to do it in a responsible way.

**Mr. Brandt:** It is difficult to get an answer about whether or not beds will be closed and shut down.

**Mr. Speaker:** Question.

#### INDUSTRIAL DISEASE STANDARDS PANEL

**Mr. Brandt:** I will ask my second question of the Minister of Labour. Today, during the injured workers' rally that was held on the front steps of the Legislature, the minister made some comment with respect to the Industrial Disease Standards Panel and the work that panel is undertaking. With respect to that, is it not a reality that this panel has not met for the past five months, since December 1987?

**Hon. Mr. Sorbara:** During that rally, the Leader of the Opposition, the member for York South (Mr. B. Rae), was there, and the leader of the third party, the member for Sarnia (Mr. Brandt), was there and I was there, and the crowd was at various stages of receptiveness as each of us spoke.

Part of the reality of being the Minister of Labour is that all the frailties within the system are put upon my shoulders, and I accept that responsibility and the challenges it presents for us as a government. I simply tell my friend from Sarnia that I did not mention the Industrial Disease Standards Panel during my remarks, not because I did not want to but because there was no time and I did not think it was an appropriate context to discuss that.

What I did say at the rally was that workers' compensation is one side of the issue and occupational disease is another very important part of the issue. I said we have to be doing far more within the government and within the board to understand the nature of occupational disease, so that 30 years down the road we are not being called upon to compensate the workers who are working in our industries today, in 1988.

1430

He raises the question of the meeting schedule of the Industrial Disease Standards Panel. I simply tell him that we are in the process of appointing a new chairman to that panel. The current chairman, Dr. Ham, has now seen fit to retire and we are in the process of doing that. That group is going to come together very soon and will have a very important part to play in resolving these sorts of issues.

**Mr. Brandt:** The matter that was raised by the minister at the rally today certainly surrounded the issue of industrial diseases. If I went on to say that he talked about the panel, perhaps I was in error, but certainly he did raise the question of the work being done by the ministry with respect to industrial disease and the concern he had in that respect.

We are also aware that he will be appointing Dr. Stefan Dupré tomorrow to fill the position of Dr. Ham with respect to the chairmanship.

I would ask the minister this question in regard to the concerns that we have about the work being undertaken by this panel: Why would it take him fully six months to find an appointment for that very, very important position; namely, the chairmanship of the Industrial Disease Standards Panel?

**Hon. Mr. Sorbara:** I really do not understand the point that the member for Sarnia is trying to get to in asking that question. Why did it take six months? Simply because six months passed between the time in which we realized that Dr. Ham was really insisting that, for a number of circumstances, he wanted to retire and finding and setting in place the terms and conditions under which his successor is going to take office.



I do not think that is unreasonable under the circumstances.

**Mr. Brandt:** We on this side of the House think it is unreasonable, and the circumstances we think are unreasonable are that it would take six months to appoint a chairman to that particular panel—recognizing the very important work that is being undertaken by that panel with respect to the identification and the recognition of certain industrial diseases that I recognize are very complicated and very difficult from the standpoint of his ministry and the Workers' Compensation Board and the work they are undertaking to make sure that workers are in fact fairly dealt with by the system in this province.

Can the minister give us the assurance that as a result of these delays of some five to six months that have occurred from the time the last chairman left that position and the new chairman has been appointed—and the fact that no meetings have been held—workers will be fairly treated, fairly compensated and looked after in every sense of the word in spite of the delays that have occurred on that particular panel?

**Hon. Mr. Sorbara:** If you analyse the lead-in to the final supplementary of the member for Sarnia, you find, of course, the answer to his first supplementary, which was, "Why did it take six months?" In the lead-up to his second supplementary, he described—and I agree with him completely—how complex the issues are, how challenging the issues are and how important the issues are for the working people of this province. We live in a highly technological society where very sophisticated substances are used in the workplace.

The reason, of course, and he answers the question himself as to why it takes six months, is that it is very challenging stuff and you just cannot find someone overnight to take on that kind of responsibility. I think the fact we have found not only a successor to Dr. Ham but also a very eminent successor to Dr. Ham answers the final supplementary that he asked, and that is whether we are going to continue our commitment to workers of this province in the area of industrial disease. Of course we are.

#### MASSEY WORKERS' BENEFITS

**Mr. Mackenzie:** Back to the Deputy Premier, if I can.

The literally hundreds—and there were more than 200 or 300—retirees and their wives who demonstrated at the Downtown Holiday Inn this morning are some of our finest, hardworking and caring citizens. They have made their contribu-

tion to this country. They worked for Massey all their lives and then, through corporate sleight of hand set up by the Blacks and the Rices and with the Deputy Premier's approval, they are told by Varsity—a company they have never worked for in their lives—that their health plans, drug plans, nursing home coverage and in some cases their pensions are no longer theirs after a lifetime working for this company. They have been treated like dirt. They do not deserve it.

Why is the Deputy Premier playing the role of a political apologist or handmaiden to these corporate bloodsuckers and why does he not do something about this situation?

**Hon. R. F. Nixon:** Obviously, it is a matter that the honourable members opposite consider extremely important, as I do. The member for Hamilton East (Mr. Mackenzie), being a spokesman for organized labour, must surely be aware that the Canadian Auto Workers, the union, made an agreement and signed an agreement with Massey Combines after the division, on which they were consulted—

**Mr. B. Rae:** What choice did they have?

**Hon. R. F. Nixon:** All right. They signed the agreement at that time and turned over the future of their pensions to Massey Combines. All right? I would just say to the members—

**Mr. B. Rae:** What choice did they have? Just blame the unions, that is your knee-jerk reaction every time.

**Mr. Speaker:** Order, order. The Leader of the Opposition, order.

Treasurer, any further comment?

**Hon. R. F. Nixon:** I will not respond to the knee-jerk reaction from the Leader of the Opposition, other than to say that in my view the Canadian Auto Workers, like the government of Ontario and like the government of Canada, were making the best of a very difficult situation.

The fact was that all of these jobs and all of this investment would have been lost, along with all of the money that was put in there by the government of Canada—\$125 million—and the money put in by the government of Ontario—about \$75 million. It was put in this investment with the idea that it was worth while, that we had confidence it was going to go forward. Unfortunately, we were wrong.

The honourable Leader of the Opposition, in his intemperate outburst, may feel that I am blaming the CAW when in fact it was simply making the best, as he pointed out, of a difficult situation, the same as the government in our attempt to keep those jobs in Brantford and



Toronto and to keep the manufacturing capability of this well-respected firm going permanently.

Unfortunately, we and they were not successful, but certainly, when they made an agreement with Massey Combines, part of that agreement was to put the responsibility for the pensions and the other ancillary benefits with the company that employed them.

**Mr. Mackenzie:** Mr. Rice and the members of the board who were up in that boardroom at that corporate board meeting today at the Holiday Inn were not suffering one bit. Not one single member of top management in those companies has suffered one bit or lost one cent as a result of this.

These workers have lost their very livelihoods, their pension plans, their health plans and their nursing home coverage. They have been to the Deputy Premier and they have been to the Minister of Labour (Mr. Sorbara) and they are not happy with the answers.

From talking to them, the best that I can see they got out of the Deputy Premier was that if people get a bill for a nursing home that is no longer covered and they thought it was, at least he will see that they do not get thrown out of the nursing home. They now have to do a census of all of their people to see if this is happening. Surely he knows that what has happened to these workers is wrong, that it is not right, that it is unfair and that he does have a role to play. What is he going to do about it in this particular case?

**Hon. R. F. Nixon:** I would like to say to the honourable member that the Ministry of Financial Institutions is examining carefully, under the pension guarantee plan and other responsibilities which we have, what we can do to see that whatever financing, whatever money is around that might legally accrue to the benefit of the people who have been dispossessed, is made available to them.

I am not answering to Mr. Rice or Conrad Black. I used to use their names in a similar vein, under other circumstances, and, as far as I am concerned, that is really an irrelevancy.

**Mr. Wildman:** Conrad Black considers you an irrelevancy.

**Hon. R. F. Nixon:** All right, but as far as we are concerned, the government is seeing that the laws are lived up to the very best that can possibly be put forward. The pension guarantees have already been established, as the honourable member would know.

#### TRUST COMPANY SERVICE CHARGES

**Mr. Runciman:** My question is for the Minister of Financial Institutions. It is his day.

There was a survey recently by Coopers and Lybrand Consulting Group that looked at service charges in the trust companies and found them generally in line with those of banks.

Given the current consumer concern over bank service charges, what is the minister doing, perhaps in conjunction with the Minister of Consumer and Commercial Relations (Mr. Wrye), to address that concern in respect to trust companies operating in this province?

1440

**Hon. R. F. Nixon:** We have followed the issue as it has been presented in the House of Commons over the last few months, and we understand that the government of Canada is taking an initiative, perhaps divided between two ministries in that government as well, and that the matter is under review, but there is no comment or statement I can make at this time about it.

**Mr. Runciman:** It is somewhat passing strange, given the minister's responsibilities for trust companies under his jurisdiction. It seems to me that is a role that he should be playing, a proactive role rather than a reactive role. The minister happens to be a nice guy most of the time, but I have to say that he has not been doing his job in respect of this portfolio—and I have been saying that on a number of occasions—based on the responses he gives to my questions.

Is he prepared to take an active role, sit down with the trust companies and do what is in the best interests of the consumers of this province?

**Hon. R. F. Nixon:** Unfortunately, I cannot return the compliment to the honourable member, but I can say that the matter is and will be under review and we will see what is forthcoming.

#### GRAIN HANDLING AT THUNDER BAY

**Mr. Kozyra:** I have a question for the Premier. While the grain shipping industry is booming in Vancouver, many Thunder Bay grain handlers in Canada's third-largest port are facing another summer of layoffs. Recent reports indicate that Vancouver is already running a million tons of grain ahead of last year's record-setting pace. Firm commitments from the Canadian Wheat Board ensure sustained large volumes to the western port.

Since eastern grain shipments are vital to the Thunder Bay economy and have a major impact on the entire St. Lawrence Seaway operation, I would like to know what action the government is taking to increase shipments through Thunder



Bay and to avert the layoff of more than 100 grain handlers.

**Hon. Mr. Peterson:** The honourable member asks a question that has been quite troublesome to this government for some time, and I can assure him that I have corresponded personally with the Prime Minister on this matter. The Minister of Transportation (Mr. Fulton) has been meeting regularly on the matter.

Our concern is that there is some suggestion that Thunder Bay may be dropped in its port status to a residual port and that in fact the current policies discriminate against grain handling through Thunder Bay.

It is a matter of federal responsibility. I cannot myself offer up the solution to my honourable friend, except to say that we are continuing to press the case of the Great Lakes as a major shipping artery, that Thunder Bay can handle grain transportation as cheaply as any other port, and we are trying to encourage policies from the federal government—even if it subsidizes the farmer; that is fine—that do not to skew the transportation subsidy so that it discriminates against the Great Lakes in shipping lanes and Thunder Bay specifically.

We are concerned about this and have been for some time, and I can tell the member that we will continue to try to persuade the federal government that this is important to the economic wellbeing of the entire country.

**Mr. Kozyra:** The Premier touched on the residual port status, and the supplementary deals with that. Compounding the problem is a recent plan to ship grain from Churchill, Manitoba, to Sydney, Nova Scotia.

Is the Premier prepared to take action similar to last year's, when he did write to the Prime Minister when Thunder Bay was threatened with downscaling to residual port status? What action will the Ontario government take to ensure that Thunder Bay, Canada's third-largest port, gets its fair share of the grain export market?

**Hon. Mr. Peterson:** We have been assured by the federal government that it would not be reduced to residual port status.

That being said, it is something that bears monitoring all of the time. We view these developments with some concern, and we want to make sure that the action they come forward with meets some of the rhetoric or the assurances they are giving us.

Again, it is a matter in the federal jurisdiction. I will take this up again with the Minister of Transportation, the one responsible, to make sure we continue to press the case for the viability

of the Lakehead grain-handling facilities, as well as the entire Great Lakes system.

#### HAZARDOUS WASTES

**Mrs. Grier:** I have a question for the Minister of the Environment and it concerns the blob that was found in the St. Clair River some years ago, a blob that the minister, I am sure, will recall was largely composed of perchloroethylene but did contain other carcinogenic chemicals.

Since the blob was found, Dow Chemical has been vacuuming it up and disposing of the residues in its dump sites. But a very serious allegation has been made by employees of Dow Chemical, an allegation that Dow is violating the ministry's certificate of approval for its La Salle Road dump site and is using that site to dispose of such dangerous toxins as hexachlorobutadiene and hexachlorobenzene, both cancer-causing agents.

Can the minister tell the House what the monitoring by his ministry has shown at this particular dump site and whether he is aware of the allegations that have been made?

**Hon. Mr. Bradley:** As the members probably know, at the present time there is a labour dispute going on at Dow, so there has been some additional surveillance of the company on the part of the Ministry of the Environment. While Dow is continuing to operate with employees other than those who are out on strike, including management employees, it has people there who may not be as familiar as the regular workers with what is going on, for instance, in terms of the operation of pollution abatement equipment. For that reason, we are undertaking additional surveillance.

In terms of the question the member directed to me, I would be pleased to look into that. I know that our investigations and enforcement branch, when it receives any information of this kind that comes, for instance, to the Sarnia office, has two people assigned, in addition to the entire office there—part of that component is two full-time investigations and enforcement officers who investigate as soon as they receive that kind of information.

Of course, our ministry will take whatever actions are appropriate in terms of charging, if it is necessary to press charges, or whatever other action is necessary. I appreciate the member raising the issue in the Legislature.

**Mrs. Grier:** I welcome those assurances but I have to say to the minister that the allegations which have come to me have nothing to do with the labour dispute at the plant. It is laboratory



workers at that plant who have done their own testing and have found up to 500 parts per million of toxic chlorinated organics in samples of the waste going to the La Salle Road dump and have been so concerned that they have warned the truck drivers not to carry what in fact they have been asked to carry to that dump.

Can the minister commit his ministry to immediate testing of the dump, not only in the lab but also at the dump itself, and an investigation of what is happening in the lab? Will he also give us his assurance that he will indeed prosecute if he finds that Dow has in any way violated the certificate of approval which is very specific and which precludes any dumping of organic chemicals at the La Salle Road dump?

**Hon. Mr. Bradley:** The member can rest assured that all of those things can happen because it is our policy, under the new statutes which the member was part of, bringing in the new penalties legislation which was passed in December 1986, to utilize all of the provisions of that legislation which deal, as she knows, not only with penalties but with other ways of dealing with those particular problems in terms of investigations and so on. She also knows that we are in the process of increasing the number of investigations and enforcement branch staff available.

I would be happy to have a full investigation take place as these allegations are brought to my attention and we will undertake whatever actions are necessary. Always, when our investigations and enforcement branch determines that there is sufficient evidence to prosecute and to lay charges, we are in the position to do that. We gather information from as many people as possible. It is always very helpful when the people in the plant come forward to provide that kind of information.

The member herself does a service by raising this kind of question in the Legislature and she has my full assurance that we will undertake as many of those activities as possible to ensure that this problem is overcome.

#### COUNSELLING SERVICE

**Mrs. Cunningham:** My question is to the Minister of Community and Social Services. Changing Ways, the only London agency that provides remedial counselling for wife batterers, is facing shutdown. In 1986, the government made the commitment to end family violence. Prevention is the key to the government's campaign against family violence. Yesterday, the government announced a \$600,000 advertis-

ing campaign in part to prevent sexual assault and family violence.

**1450**

Changing Ways is the only service of its kind in London. If it is shut down, judges will lack the sentencing option of counselling. The alternatives are costly and ineffective: jail, probation and fines. Is the minister committed to the promise he made two years ago and will he support this program?

**Hon. Mr. Sweeney:** We are very much committed to the promise we made. My colleague's announcement yesterday was part of a preventive program, which all members of this House have long indicated has to be part of our total package. Therefore, it is not appropriate to compare a preventive program with a curative program, as we are in this case.

I would point out to the honourable member that when I assumed responsibility for this ministry there were no funds at all, absolutely none, allocated to community preventive counselling, whether it was for the battered woman or her children or the offender. In 1985, the first year for which I was responsible, we put \$1.2 million into that program. This past year, we have had \$3.6 million in that program. That is about three times as much, and there is an additional amount of money going in this year. There has been a very significant increase.

With respect specifically to Changing Ways, that has been a three-way partnership all the way along. My colleague the Minister of Correctional Services (Mr. Ramsay) has been responsible for those offenders who are referred by the courts and he has repeated that he will continue to be responsible for those. My ministry, along with the United Way, has been responsible for the voluntary admissions to the program.

**Mrs. Cunningham:** Curative programs and prevention programs, when it comes to family violence, as the minister has often stated himself, are equally important.

Here we have another 1986 promise, at that time supported by the Attorney General (Mr. Scott), who was the minister responsible for women's issues and who cared about women's issues at that time. One would think reducing the incidence of family violence is still important to the Attorney General and his government.

Programs are very important, much more important than advertising campaigns. The minister should not simply accuse us of asking him to spend more money. He and the Minister of Correctional Services should get their act together.



**Mr. Speaker:** Order. Does the member have a question?

**Mrs. Cunningham:** What specific reasons, therefore, should I give to the citizens of London for the minister's nonsupport and ultimate closing down of Changing Ways?

**Hon. Mr. Sweeney:** Our responsibility as a government is to allocate the resources we have as fairly and as broadly as we possibly can. The member will be aware of the fact that, prior to our forming the government, there were no resources there at all. We have multiplied those resources every single year.

My understanding is that the financial problems of Changing Ways at the present time are not due to a reduction in funding from my ministry. In fact, our funding has been increased. The funding from my colleague in Correctional Services has been increased. The problem is the way in which they are applying for continuing funding from the United Way.

I was advised recently that they had not even made a formal, proper application to United Way until yesterday, I think it was. I think it is reasonable for that process to continue. We are a participant in the program. We have been and we will continue to be, but we cannot be responsible for all of their funding resources. Like anyone else, we are a sharer.

#### YUGOSLAVIAN FILM FESTIVAL

**Mr. Sola:** My question is to the Minister of Culture and Communications. Presently, a Yugoslavian film festival is being held at the Ontario Science Centre's film theatre. This festival has triggered a great deal of concern among Canadians of Croatian descent. People from throughout Ontario, from ridings represented by all three parties here, have contacted me to express their concern and anger over the manner in which their community is depicted in the films shown during the festival. They feel this is an example of hatermongering against their ethnic group.

In light of this, I would like assurances from the minister that the government of Ontario had no involvement in sponsoring, promoting or financing this festival.

**Hon. Ms. Oddie Munro:** I believe the issue the member has raised is a very sensitive, very important and critical issue to members of the Croatian community. He and I have discussed it. The Ontario Film Institute is a department of the Ontario Science Centre and the film theatre is the screening device by which films are shown. The Ontario Arts Council has an arm's-length policy

and so does the Ontario Film Institute. I suggest to the member, and I would certainly be more than willing to help him in his representation, that he make representation to the boards of both the Ontario Science Centre and the film institute.

In addition, what I am more than willing to do is to discuss with my colleague the Minister of Consumer and Commercial Relations (Mr. Wrye) the relationship, if any, of the screening of sensitive films such as the ones he has in question under his effort—it is a joint effort—to revise the Theatres Act. I certainly feel, as the member does, that any misrepresentation of the truth is something we should all be aware of and do something to avoid if at all possible.

**Mr. Sola:** In a written response, the ministry has stated that the film festival is supposed to "reflect the linguistic and cultural communities of Metro Toronto." The Croatian community of Metro and all of Ontario rejects the inference that the subject matter presented in these films reflects the essence of its culture or its language. The films seem to reflect more the diabolical musings of a pathological mind, than the cultural experience of a people.

Throughout the films of the director Lourdan Zafranovic there is a direct and repeated association between Croatia and violence. Ontario's policy of multiculturalism and "celebration of the diversity of our cultures" has nothing in common with the themes portrayed in these films. Therefore, neither Canada nor Ontario should have any connection, however remote, with an event such as this one—

**Mr. Speaker:** Question.

**Mr. Sola:** —which uses an ethnic minority for target practice in hate mongering. What can the Croatian community do to clear its name and how can a similar situation be prevented from recurring for any minority living in Ontario?

**Hon. Ms. Oddie Munro:** As I indicated to the member, I would be more than willing to accompany him and arrange a meeting with the science centre and the film institute. I think one of the solutions would be to ask members of the Croatian community if they have a set of films which would portray, in their own words and their own artistic expression, the truth of the matter.

In addition, the member should know that the Ontario Film Institute is currently being reviewed by our ministry and I am sure the board of both the science centre and the film institute will take this matter into consideration. The member and I, I hope, will be meeting later and we can



talk about some very positive action which he can then communicate to his community.

#### PREMIER'S ATTENDANCE AT CONFERENCE

**Mr. B. Rae:** I have a question for the Premier. It is about apartheid in South Africa and the government's policy in that regard. I wonder if the Premier can tell us why he is scheduled to be opening the conference entitled the Outdoor Advertising Association of Canada, when this association's four-day conference will have a day particularly related to South Africa. It will have delegates and executives from South Africa and one of the topics to be discussed is, "Outdoor advertising controlled in legislation in South Africa."

I wonder if the Premier is sincere in Ontario's policy of advocating a boycott of goods that originate in South Africa, which is supposed to be the position of this government. We passed a resolution last week moved by his colleague the member for Don Mills (Mr. Velshi) on the question of the boycott of South Africa. Can the Premier tell us why he is endorsing this conference by opening it?

**Hon. Mr. Peterson:** I have no idea what the member is talking about. If that is true, I am not going.

**Mr. B. Rae:** I will send over the article to him. Perhaps he does not know that, "A spokesman for Mr. Peterson's office, Guy Côté, said yesterday that the Premier is scheduled to give a welcoming speech to the delegates on June 13, and there are no plans to bow out." That is contained in today's *Globe and Mail*.

I have received many phone calls subsequent to the news of this conference being held. The president of the Outdoor Advertising Association of Canada said: "There might be a group opposed to the killing of kangaroos, and they might demonstrate because Australia is also coming. The whole thing has absolutely no political overtones to it at all."

1500

The Premier is down as speaking to this conference. He is down as somebody who is scheduled to present his greetings to the conference. It is being held at L'Hotel. There are many people who are profoundly offended by the participation of delegates from Canada at this convention. I ask the Premier why he is scheduled to speak at this convention.

**Hon. Mr. Peterson:** First of all, I speak at many things every week and I bring greetings to people who are coming here.

If the Leader of the Opposition is in fact accurate—and I did not know about those things on the agenda—I am not going.

#### ONTARIO FAMILY FARM INTEREST RATE REDUCTION PROGRAM

**Mr. Villeneuve:** I have a question for the Minister of Agriculture and Food. The minister knows that the farm debt load has not changed appreciably in the last three years and that borrowing costs remain high. Can the minister explain why there was absolutely no notice given to farmers, farm organizations or even financial institutions that the Ontario family farm interest rate reduction program benefits would be cut by 60 per cent this year, in spite of the biggest tax grab ever in the most recent budget?

**Hon. Mr. Riddell:** As usual, the honourable member is wrong in what he says. Not only was a press release sent out back in 1986, but the brochure states very clearly that the OFFIRR program was a scheduled program and that it was to terminate after three years, although I must say it will have gone four years due to the fact that when we first formed the government, I introduced the initial OFFIRR program. Then I introduced the OFFIRR Plus program, which was a scheduled three-year program, outlined very clearly in the brochure that farmers received, and outlined very clearly in the press release that was sent out at the time we introduced the OFFIRR Plus program.

**Mr. Villeneuve:** The minister may be right. However, in events leading up to September 10 of last year, not one mention was made that the OFFIRR would be cut by 60 per cent.

On average, the net farm income—and the minister knows this—is about \$21,000 for Ontario farmers, and it has been down in the last number of years, particularly for grain producers. Can the minister tell these producers what help they can expect, if any, after the biggest tax grab in the budget? What help can our farmers expect in replacement of the 60 per cent reduction in OFFIRR?

**Hon. Mr. Riddell:** When the honourable member asks these questions about the agricultural budget, he must do it with so much tongue in cheek that it is a wonder he has not bitten it off.

This government and this ministry has introduced, since we formed the government three years ago, well over 80 new programs for the farmers. We have increased the agricultural budget by 86 per cent since we took over from those critters over there. We have taken the old



Tory budget from \$324 million up to \$563 million.

I have spoken to many farmers in the honourable member's riding who have come up to me and have said that they have never seen a ministry introduce more meaningful programs than the Ministry of Agriculture and Food over the last three years. I do not know what farmers the member is talking to.

Interjections.

**Mr. Speaker:** Order.

**Mr. Brandt:** Mr. Speaker, on a point of order: In the interest of the House perhaps proceeding more effectively, I wonder if the Minister of Agriculture and Food could raise his voice a little bit. It is very difficult to hear him on this side.

**Mr. Speaker:** I am certain that he can.

#### NATIVE LAND CLAIM

**Mr. Wildman:** I have a question for the Minister of Natural Resources, which might be of interest to the Attorney General (Mr. Scott).

In his statement last week in conjunction with the Minister of the Environment (Mr. Bradley) regarding Temagami and the parks, the Minister of Natural Resources made a great deal out of the fact that he was following the June 1978 blue book, which states—I do not know whether he is aware of this—"The master planning and development and management policies set out in this document are without prejudice to, and may be superseded by, any settlements of claims made between the Ontario government and the Indian bands in Ontario."

If this is the case and he is following this policy, is not time of the essence in resolving the Teme-Augama Anishnabai claim in the Temagami area so that we will actually know what is going on there with the land in question?

**Hon. Mr. Kerrio:** This question should more properly be put to the Attorney General, and I so redirect.

**Hon. Mr. Scott:** As the honourable member knows, the band under Chief Potts has commenced legal proceedings and its action has been tried and dismissed. They have appealed the matter, as they are entitled to do, to the Court of Appeal and that appeal is pending. I think it has been arranged by the court to be heard early next year.

During the pendency of that appeal a year ago, we made an offer in the neighbourhood of \$30 million to settle the band's claim, half of which was to be paid by the federal government and could be taken in either cash or in crown land.

The settlement proposal, which we hoped would be the basis for negotiations—it was an opening proposal—was rejected by the band because it wanted to complete its appeal first.

I understand that but I think it is a misfortune because I think it possible we could have made a settlement. In any event, I hasten to tell my honourable friend that that is the history. If the band wants to reopen negotiations with us at any time, they have only to say the word.

**Mr. Wildman:** I appreciate the Attorney General's answer. Is he aware that Chief Potts has indicated that he is prepared to negotiate if there are no preset conditions? Also, the band has initiated an occupation of the Red Squirrel Road extension today and has indicated that it will stay on the road until the fall, if necessary, to prevent construction. If this is the case, would it not be advantageous and appropriate for the provincial government to make contact with the band and with Chief Potts to try to initiate new negotiations rather than waiting for the court action?

**Hon. Mr. Scott:** We made protracted efforts to get negotiations going. The last word I have from Chief Potts, for whom I have very high personal regard, was that they would not be prepared to meet with us and negotiate this land claim, notwithstanding our eagerness to do so. If my honourable friend is right and Chief Potts now wishes to negotiate, I am certain we will hear from him in due course. When I do, the member can rest assured that we will be glad to enter into those negotiations.

#### HIGHWAY CONSTRUCTION

**Mr. Pope:** I have a question for the Minister of Transportation. We have been receiving complaints from the people of the Marathon-Thunder Bay area this year with respect to the deterioration of road conditions to an extent that it is considered to be a dangerous situation. Can the minister tell us what he has done to correct this situation and how much money he intends to spend this year in reconstruction of parts of Highway 17 and Highway 11 in that area?

**Hon. Mr. Fulton:** We are aware, because of high water levels, of substantial breakup of the pavement on Highway 17, particularly in the area of Hemlo where there are added and heavier trucks as a result of the mines there. Substantial design work is required to be done. Some remedial work will be done this year and substantial rebuilding and reconstruction is scheduled for early next year.

## PETITIONS

### MINIMUM WAGE

**Mr. Morin-Strom:** I have a petition that reads as follows:

"To the Honourable Lieutenant Governor and the Legislative Assembly of Ontario, and, in particular, the Minister of Labour:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"That the minimum wage cover all workers in Ontario without exception and that the minimum wage in Ontario be adjusted with inflation to ensure that all working people can support their families with a standard of living that is above the poverty line."

This petition has been signed by approximately 800 residents of Sault Ste. Marie. I have affixed my signature to it as well. I strongly support it and hope the government will act on it.

1510

### RETAIL STORE HOURS

**Mr. Philip:** I have a petition signed by 12 constituents of Etobicoke-Rexdale.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We believe in the importance of keeping Sunday as a common pause day so that all people may have physical, spiritual and social health. We are concerned about the quality of life and wellbeing of the people of our province and we object to the further commercialization of life through the Liberal government's proposed Sunday shopping legislation."

I have signed the petition.

### TRITIUM

**Mrs. Grier:** I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas one billionth of a gram of tritium can cause cancer; and

"Whereas the transport of heavy water containing tritium could be eliminated by building additional removal facilities at the Pickering and Bruce nuclear plants; and

"Whereas tritium can contribute to nuclear weapons if exported;

"Therefore, we, the undersigned residents of Ontario, oppose the transport of heavy water containing tritium and the export of pure tritium."

This petition contains 323 signatures of people from Oshawa, Bowmanville, Ajax and Whitby, and I am pleased to affix my name thereto as well.

## INTRODUCTION OF BILLS

### CITY OF ETOBICOKE ACT

Mr. Henderson moved first reading of Bill Pr52, An Act respecting the City of Etobicoke.

Motion agreed to.

### LANDLORD AND TENANT AMENDMENT ACT

Mr. Breagh moved first reading of Bill 146, An Act to amend the Landlord and Tenant Act.

Motion agreed to.

**Mr. Breagh:** The bill amends the Landlord and Tenant Act to give tenants of residential units or residential complexes the right on a first refusal basis to purchase the unit or complex when the landlord proposes to sell it, demolish it or otherwise change its use. Tenants of residential complexes are required to assign the right to purchase to a nonprofit corporation, the members of which are tenants of the residential complex, a nonprofit housing corporation or a nonprofit co-operative housing project.

## ORDERS OF THE DAY

### THIRD READINGS

### TROISIÈME LECTURE

The following bills were given third reading on motion:

Les motions de troisième lecture des projets de loi suivants sont adoptées:

Bill 116, An Act respecting the Northern Ontario Heritage Fund;

Projet de loi 116, Loi concernant le Fonds du patrimoine du Nord de l'Ontario;

Bill 117, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund.

### EDUCATION STATUTE LAW AMENDMENT ACT

Hon. Mr. Ward moved third reading of Bill 125, An Act to amend the Education Act and certain other Acts related to Education.

**Mr. Jackson:** I wish to say a few words before the final approval of Bill 125. It is ironic that we close this debate and move towards approval of this bill with so many loopholes still left open in the bill.



Members of the House should be aware that the member for Scarborough West (Mr. R. F. Johnston) and myself together introduced more than a dozen amendments in committee last Wednesday which would have at least partly addressed some of the shortcomings of this piece of legislation. Most of them were solidly defeated by Liberal members of the committee that examined Bill 125.

For the benefit of the members present today, I would like to briefly comment on the issues our party tried to resolve in that committee concerning this bill. One of the major concerns the Progressive Conservative Party had was with the minister's apparent unwillingness to live up to the intention of representation by population equitably in the Metropolitan Toronto area.

While the member for Scarborough West's amendment to section 24 was a step in the direction of providing some sort of equity between the number of electors represented by separate school trustees and the number represented by public school trustees, the fact is that separate school trustees in Metro Toronto are responsible for many more electors than are their public sector counterparts. In some instances, they are responsible for as much as 60 per cent more representation.

I strongly believe that now the decision has been made to move to representation by population, the populations should be equalized in both sectors. It is for this reason that my party tabled an amendment which would equalize the population sizes between public and separate school trustees.

I was disappointed to learn that the Metropolitan Separate School Board was not offered the opportunity to have direct input on the specifics of Bill 125. But to be fair, even with the groups that were contacted for input, some of their comments and concerns were ignored.

When our party introduced an amendment that would have effectively allowed for the franchise of cottagers in the "electoral group" definition, we did so for a number of good reasons. First and foremost, the exclusion of cottagers will mean that significant areas of jurisdictions of school boards will now be without adequate trustee representation.

Second, while the move to representation by population is worthy, it has been pursued, at least to some extent, to the detriment of another form of equity, namely, that cottagers who pay municipal school taxes will now have no say in the use of those tax dollars. I am pleased that the member for Simcoe East (Mr. McLean), the

member for Leeds-Grenville (Mr. Runciman) and the member for Parry Sound (Mr. Eves) made very strong and cogent arguments, both publicly and before other members of this House. Again, unfortunately, the Liberal and New Democratic members of the committee voted against the owners of cottage properties and the ratepayers of cottage properties in this province.

A third significant amendment put forward by our party would have pushed this legislation closer to its democratic ideal. While the member for Scarborough West's amendment to provide for an Ontario Municipal Board appeal mechanism is worth while, it does not provide the right for individual citizens to appeal board decisions with respect to board size, so what we really have is a kind of half right of appeal, where citizens can appeal clerk decisions but they cannot appeal board decisions.

Fourth, I have some concerns with the arbitrary nature of this legislation, as well. It was interesting to hear the comments of the member for Ottawa-Rideau (Mrs. O'Neill) last week when my party introduced an amendment that would have allowed boards to change their size by a simple majority, as opposed to the two-thirds requirement outlined in this legislation.

The member told the committee that the reason this amendment should not pass was that the decision to change the size of a board was much too important to be made by a simple majority. Being a former trustee, the member should recognize that many boards make million-dollar budget decisions with simple majority votes. Also, she should know that the boards do have bylaw rights to deal with internal decisions and in the event they saw two thirds as necessary, they could probably pass a bylaw to that effect at some point in the future.

#### 1520

The point is that school boards do not need Mowat Block lawyers making their rightful policy decisions. The minister should recognize that trustees are also elected and responsible public officials. But I am not surprised that the minister and his parliamentary assistant did not recognize the competence of school board trustees in the matter of Bill 125.

When our party introduced an amendment that would have ensured that municipal clerks were not saddled with the responsibilities of dividing up electoral trustee boundaries, a responsibility the clerks themselves told the minister they did not want, the Liberal majority on the committee soundly defeated the recommendations of the



municipal clerks of Ontario. Just as boards can make their decisions in terms of board size, so too they decide on matters now in the hands of the municipal clerks.

For the record, my party supports the principle of representation by population in the election of school board officials, but only when the transition to such a system is handled smoothly and thoughtfully.

The minister should be aware that the Advisory Committee on Municipal Elections very worthwhile recommendations of not making changes affecting municipal elections beyond January 15 in an election year has been violated. Hence, the process has not been handled with either concern for the affected parties and the general public or in an expeditious manner.

In short, this legislation should be postponed until the 1991 election so that the proper time can be given for consultation, and more important, so that members of this House and school boards across the province are not forced to deal with this faulty piece of legislation. Otherwise, Bill 125 is going to be the Ministry of Education's version of the rent review legislative disaster known as Bill 51.

**Mr. R. F. Johnston:** I would like to make a few comments; I was not able to be here on Monday to talk a little more about this bill.

I would like to echo a few of the comments by the member for Burlington South only in terms of concerns about the process that has been undertaken here around the production of this bill and how much better it might have been if we had had a slower and more measured look at this legislation.

I am pleased, however, with the accommodation of the minister on a number of matters, especially the matter which was very important to me of an appeal mechanism for individuals to dispute the distribution of seats, ultimately before the Ontario Municipal Board if necessary, and not to preclude that kind of appeal, as in the initial legislation. I was pleased he was willing to entertain that amendment.

I think it is a little regrettable, again because of the time frame, that a separate amendment postponing the proclamation of this particular section until after the election had to be introduced, because there is a great concern that perhaps the whole process of the election this fall could be undermined because of the tight time frame we are under if the appeal mechanism were to go through at this point.

There is one small matter—or it may seem like a small matter to the members here in the

south—that was not dealt with by the minister that I would like to draw attention to again, and that is the concern that in certain districts in northern Ontario, not many of them but in the northwest notably and on Manitoulin Island, there are situations where there are schools run by the public boards of education that have in fact a majority, in some cases a very large majority, of Indian students in those schools. In our present law, under the Education Act, there is a maximum of two representatives of the Indian band to be appointed to any board in Ontario.

I moved an amendment in the course of the committee hearings to suggest that increasing that number, if more than 50 per cent of the students were Indian, to four representatives of the band, would be an appropriate kind of step, reflecting again this notion of the population basis of our decisions now around the running of schools.

Unfortunately, this was a new idea which, thrown up in terms of a committee, is sometimes a little difficult for people to grab on to and to see as a fairly good interim step. By the time the bill has come back to us for third reading, it has not been possible for the government to check with those bands as to whether or not that would be seen to be an appropriate step to take at this time. I would have hoped that it might have been and that this kind of representation would be seen by those bands, but that has not been the case.

The other strikingly difficult issue for me that was not accepted by the ministry, and we did not have a long debate about it in the committee hearings, was the matter of mandating open meetings of the boards of education to discuss this redistribution of their seats. We were trying to get through the amendments being proposed as quickly as possible, and when this was presented by the member for Burlington South (Mr. Jackson) we did not have a great deal of time to discuss the merits of this.

It strikes me that when we talk about changing the way the school boards are elected to increase the democratization by accepting representation by population, one of the things we should have done was to guarantee that no school board in the province could undertake a redistribution of its seats in private, because under the present legislation it would be possible for such a board to make its redistribution plans by private meeting of committee of the whole, and the public could be excluded from the process.

I thought it was a very helpful amendment that was proposed and I regret that was not acceptable to the minister. The minister's position on this is



that these are duly elected boards which can make these kinds of decisions themselves, that we should not mandate this to them and that they are ultimately responsible to their electors. While we were not able to make these arguments in great detail in committee, I would just suggest that we have any number of ample precedents by which we demand of councils and boards of education that certain aspects of their processes be handled in public. This would have been an excellent one to have added to that number.

That being said, I think it is one of those cases which is a little rare for a member of the opposition, that even in the case of a majority government, where the opposition numbers cannot guarantee any kind of motion put by an opposition member, we did succeed in getting through a number of amendments which have made this slightly better legislation than was proposed.

In termination, I would say that if we had more time for reflection, I think this legislation could have been an awful lot more suitable than it is, even with those few amendments that we were successful in bringing forward.

**Hon. Mr. Ward:** Just very briefly, this bill has had a very lengthy history. Its origins actually come from recommendations made by trustees in this province dating back to 1978, so I am not at all surprised by the comments of the member for Burlington South, given his party's proclivity for procrastination on matters as important as this that affect very clearly and very specifically the basic principles of local governance.

The member also made some reference to the issue of double representation for those people in this province who are fortunate enough to own more than one place of residence. At the same time, he indicates his party fundamentally supports the principles of the bill, and yet I cannot think of anything that would more clearly violate those principles of representation by population, as opposed to representation by wealth, than an amendment that would in fact count those people in this province, who own more than one residence, twice for the purpose of school board elections.

In conclusion, I want to make reference to the comments of the member for Scarborough West, particularly relative to a suggested amendment with regard to native representation on boards of education. At the time that amendment came forward, I indicated it was a matter that can and should be considered, but only in consultation with those directly affected, and it was a matter

that could and certainly would be addressed in further reviews of the Education Act.

I would like to thank the members of the standing committee on social development for their co-operation and their input. I do think this is a significant step forward in terms of local governance in this province, and I am delighted to see that this bill will in fact receive passage in plenty of time for everyone to make preparations for the forthcoming municipal elections.

Motion agreed to.

1530

### ENERGY EFFICIENCY ACT

Hon. Mr. Wong moved second reading of Bill 82, An Act respecting Energy Efficiency.

**Hon. Mr. Wong:** As outlined in the speech from the throne in November 1987, the government is committed to new measures to encourage greater energy efficiency and conservation in Ontario. Last December the government introduced Bill 82, the Energy Efficiency Act. Today I am pleased to be introducing a motion in the House for second reading of the bill.

I would like to take this opportunity to remind members of the intent of the act. The Energy Efficiency Act is a logical extension of this government's energy policy, a policy based on the cornerstone of energy efficiency and conservation. The act is an example of how Ontario is taking the Canadian lead in promoting more efficient uses of energy. The act is designed to do two things.

First, it will enable the government to introduce regulations to ensure that major appliances and other energy-using products sold in Ontario are tested for energy efficiency using acceptable and recognized procedures.

Second, the act will allow the government to introduce minimum standards of energy efficiency for these products, which include appliances such as refrigerators, freezers, clothes dryers and home heating equipment.

This legislation will provide Ontario with many benefits. Having it in place will ensure that consumers can be confident that the appliances they buy are energy efficient.

Since first reading of this bill last December, I have been pleased with the positive reaction of many groups, including utilities, manufacturers and consumer representatives. In a recent letter to me, the Consumers' Association of Canada applauded "the provisions for a program to develop standards for measuring performance, certifying and labelling of equipment." The president of the association welcomed the bill's



calling for the setting of minimum efficiency standards. She called the bill a major step forward in protecting consumer interests.

Another letter of support came from Ralph Nicol, chairman of the Ontario Municipal Electrical Association, which represents Ontario's 315 municipal electric utilities.

My staff has also advised me that the principles and concepts of this bill have met with support from representatives of the Canadian appliance manufacturing industry, and I am pleased to be able to advise the House that we have also had strong support from Ontario Hydro.

As some members may know, the United States introduced similar legislation in March of last year. The US legislation covers 13 categories of appliances and heating and cooling equipment manufactured in or imported into the United States, and there is a significant amount of trade between Ontario and the United States in these products.

Ontario's Energy Efficiency Act will ensure that consumers have a wide range of efficient products from which to choose. It will provide our appliance manufacturers with a level playing field. Early passage of the act will give them enough lead time to adjust their products in order to remain competitive. The act will also mean that Ontario will not become a dumping ground for inefficient American appliances.

In the long run, I believe the Energy Efficiency Act will lead to significant improvements in the overall efficiency of major appliances throughout the province.

With this act in place and with the government's continued commitment to energy conservation and efficiency, I am confident that Ontario's energy future will continue to be secure. With a solid energy foundation, we can ensure that Ontario's future economy will be strong.

**Mr. Charlton:** It gives me pleasure to rise and start out my comments by saying that I and my colleagues will be supporting Bill 82. The bill basically sets out a reasonably good framework, mechanisms for inspection and penalties for noncompliance in terms of establishing energy efficiency standards for appliances in Ontario.

Having said that, there are a number of comments I would like to make that I do not think jibe precisely with the introductory comments which the minister has made. I understand the minister's desire to have his ministry take credit for the leadership which this piece of legislation reflects. On the other hand, although he was not

the minister at the time, and I grant him that understanding, neither the Ministry of Energy nor Ontario Hydro during the course of the select committee hearings two years ago provided any leadership on the issue of appliance efficiency standards.

Hydro played a very sceptical role throughout and the ministry unfortunately could provide us with little or no positive instruction about how to approach this question. The committee in fact had to get most of its assistance from outside presenters and expert witnesses whom the committee paid.

That speaks to two of the things that come to mind as a result of this bill. One is that if the Ministry of Energy had in fact really been providing the leadership on this issue, we would not have had to wait a year and a half to see the bill introduced in the House. Again, I grant to the minister the fact that the bill was introduced fairly quickly after his appointment last fall, but as I said at the outset, this piece of legislation is a framework. It does not even contain the efficiency standards. This framework could have been put in place fairly quickly two years ago, after the select committee on energy recommended that this be done.

My other comments relate more specifically to the legislation and how this piece of legislation will operate. As I have said, Bill 82 sets out a structure, a framework under which we will impose appliance efficiency standards. It also sets out how we will monitor that through inspections and so on, and it sets out penalties for noncompliance. The bill does not deal directly with the question of efficiency standards, only how they will be set. The regulations, therefore, will make or break this piece of legislation.

I guess what I am saying is that it is fair for the minister to stand up and say that he believes this is a positive piece of legislation, and I concur that at this point I also believe it is a positive piece of legislation, but if it is not followed up with the most appropriate work in terms of defining the efficiency standards in the regulations, then the legislation itself will mean little or nothing.

In addition to that, and I have discussed this privately with the minister, if we do not also create an automatic review mechanism to ensure that whatever efficiency standards we put into the regulations initially are reviewed and updated on a regular basis, it will be a one-shot step in the right direction and then we will likely founder, like we have done on so many other pieces of legislation, waiting another 20 years to review those standards again.



I am suggesting it is extremely important that in the regulations we create a mechanism which will cause an automatic review of the standards that are initially set, on a regular basis and in some kind of public forum, so that we can understand more clearly each step of technological improvement which is occurring and so that we can ensure that the standards we are updating from time to time are the best and the most useful in terms of energy efficiency in Ontario.

1540

Having said all of that, I applaud the minister for finally ensuring that this legislation comes forward for discussion and for vote on second reading. I hope the minister can assure us as well that the bill will move very quickly through second and third readings so that we can get on with the implementation of standards, because as the minister has suggested, we are still going to have to go through a period of adjustment while the industry in this country gets itself in shape to comply with whatever standards are imposed by the regulations.

**Mr. Runciman:** I want to indicate at the outset that my party will also be supporting the bill. I do not have any real criticisms of the legislation. I pose a number of questions that I would hope the minister might respond to.

He mentioned the comparable legislation in the United States and indicated that it applied to 13 areas. Just looking at the legislation, this covers 14. I am wondering which one is different in terms of the Ontario jurisdiction versus the US and what implications that might have for cross-border traffic.

Obviously, the minister indicated when he made reference to the cross-border trade and the US legislation, and I am assuming that the Energy Efficiency Act is precisely comparable to the legislation in the US, that there are no significant differences or any differences that may indeed create difficulties in terms of cross-border traffic.

I would like to know also what the implications of this act are in terms of other jurisdictions within Canada. Are all the other Canadian jurisdictions enacting comparable legislation or are we going to be faced with some difficulties, which are certainly not unusual for this country in terms of interprovincial trade and the construction of artificial barriers to discourage trade between provinces?

Perhaps I am inferring too much from the tone of the minister's remark when he mentioned, "We have the support of Ontario Hydro." He sounded almost thankful for that. I can have

some sympathy with that, based on the crown corporation's submission to the Ontario Energy Board with respect to free trade, which is in direct contradiction to the position taken by the government. I can see that perhaps at least in one small issue he has the support of Ontario Hydro, the largest crown corporation in this province.

Thankful for small blessings, perhaps; I do not know. I guess we have been encouraging him and his government not to take a cap-in-hand approach with respect to that utility. I would like to really know what it means for this piece of legislation to have the support of Ontario Hydro. What was he indicating to the House when he made that comment? What are the implications of having it or not having it?

Finally, we would like to know what the cost implications of this legislation might be. I am assuming the minister and the ministry have taken a look at what the implications might be for producers and consumers. We would also like to know what the implications might be in terms of the taxpayers, and I am thinking especially in respect to the authority given by the bill for the minister to designate inspectors for the purpose of the act.

Are we talking about a number of permanent employees, new civil servants who are going to be coming on board in the ministry? If so, what are we talking about in terms of numbers, full-time and part-time, and what are the implications in terms of cost to the ministry?

Obviously, when we are introducing any new legislation, I think it is a reasonable assumption that the government has reviewed the implications of that particular piece of legislation.

I would appreciate the minister's response to those points of concern and again indicate our support for the legislation.

**Hon. Mr. Wong:** First of all, I would like to say that I appreciate the co-operative and constructive comments that have been made by the members from the two parties who have spoken this afternoon.

In response to the specific points that have been raised within that co-operative spirit, I would like to say that on the subject of the efficiency standards and how important it is to get the actual specifications and standards in place following this framework of legislation, I totally agree with that, as minister, and remind all parties who are interested in this legislation that the standards will be set in a consultative process with manufacturers, with various consumer groups and with the standards setting organizations. In other words, there will be full



consultation to make sure that such standards are made in a practical manner, as opposed to a theoretical manner.

With respect to the suggestion that some kind of automatic review mechanism be put into place to make sure that, as modern advancement and changes take place in the manufacturing of appliances, the efficiency standards are up to date with the times, that would appear to be a reasonable suggestion and I would certainly take that under advisement.

With respect to the comment about the difference between the new Ontario legislation and the US legislation, I have the two lists here and I would be more than pleased to send over the two lists to the honourable member. One category that we have is number 14, which is a catch-all, prescribed appliances and products, which I think makes our act perhaps a little more complete, because there may be some appliances to which we wish to apply these new efficiency standards above and beyond the ones that have been specified above in numbers 1 to 13, inclusive. I would be more than pleased to provide this information to the member who asked.

With respect to cross-border trade, depending on which appliance we are talking about, the percentage could be significant. In the case of some appliances, perhaps 15 or 20 per cent of the output of a particular plant in the United States might be devoted to the Canadian and also to the Ontario market. We are knowledgeable and, let us say, cognizant of this fact.

What is important here, I think, is to make sure we have timely passage of our legislation so that at the time the US legislation is in place, ours will have been in place effectively at the same time to avoid, as I say, the so-called dumping of inferior products, products that do not meet our standards, in the future.

With respect to other jurisdictions in Canada, it is my understanding that Ontario is currently the province that has shown some leadership and lead with respect to this kind of legislation and that other provinces are in various stages of considering similar legislation. In addition, the Minister of Energy, Mines and Resources and the people at the federal level are also watching very closely and carefully what we are doing here because this is something we should be looking at for all of Canada.

**1550**

With respect to the remark concerning Ontario Hydro, I was simply making the point that in terms of the clear policy directions of this

government in the energy field, this government made clear in the throne speech, and since then in various public announcements, consultations and discussions with that corporation, that this was the direction we felt the government and the province should be heading in. Rather than receiving, let's say, a negative reaction and a lack of co-operation, I am simply pleased to report that we have been getting a response from Hydro that is consistent with government policy and directives.

With respect to the cost implications, I have a dollar figure here pertaining to fiscal 1988 of \$550,000. I cannot tell the member at this time exactly how that breaks down, but that helps to provide an order of magnitude.

On the further question of the number of people who will be employed by the passage of this legislation, it is my understanding that we are anticipating perhaps five or fewer inspectors, but I will certainly be in touch with the honourable member who asked the question should the facts be different or should that number be clarified.

I guess the other thing I would like to say is that when we talk about taxpayers and consumers, I think the important thing to remember is that when we have more energy-efficient appliances, appliances that meet our standards, there may be a few extra dollars that are paid out for these better appliances. However, if, for example, an additional \$20 was paid out for this better appliance, the energy savings would result in a payback or recovery of that extra investment, usually over a few years. After that, of course, all additional annual savings would be an ultimate benefit in dollar terms to the consumer. From a financial standpoint, it certainly makes a lot of sense.

I would like to add to what I said a moment ago with respect to what other governments in Canada are doing. I have a note here from my staff that at the present time, no other provincial governments have taken this kind of action. Ontario accounts for nearly half of the total Canadian market and produces more than half of the appliances. Also, a reminder to myself and to honourable members: The federal government has the Energuide program in place, which provides energy efficiency labels for six appliances, specifically refrigerators, freezers, clothes washers, dryers, dishwashers and ranges.

In conclusion, let me say that this may not have been a totally comprehensive and complete answer to the questions that have been raised. I know that we will have time, as we move towards final passage of this legislation, but in closing I



would like to say once again that I appreciate the constructive comments that have been made by members opposite. I look forward to working together in order that we can make this a good piece of legislation for Ontario.

Motion agreed to.

Bill ordered for third reading.

### EDUCATION AMENDMENT ACT

Hon. Mr. Ward moved second reading of Bill 100, An Act to amend the Education Act.

**Hon. Mr. Ward:** In February of this year, I announced in this House that the 1988 grant regulations would include the updating of equalization factors for the calculation of municipal apportionments.

As members will know, school boards are currently financed by a grant contribution from the province coupled with a local contribution or apportionment from the municipality or municipalities supporting the board. Each municipality within the jurisdiction of a given school board has its own unique assessment system, and for this reason it is necessary to adjust differing assessment bases to a common level so that school board costs can be shared fairly and equitably.

As I stated in February, this common or equalized assessment has, until this year, been based on an equalization factor that adjusted local assessments to their 1969 values. As a result, equalization factors have not fairly reflected economic changes that have occurred since 1970.

To correct this situation, we have begun the process of updating of equalization factors so as to ensure a fairer distribution of education taxes among ratepayers in different municipalities. In order to minimize the impact of this process in any one year, we have begun a phase-in of the new factors. This year, we have moved one fifth of the way towards adopting current property values as a basis for apportionments. We have also provided a five per cent cap on the tax impact for any municipality in any given year.

Bill 100 accompanies our updating of the equalization factors. Clearly, in moving to the use of current factors, we must provide municipalities with a degree of certainty with regard to apportionments during the phase-in period. With this bill, we will therefore modify the appeal process with regard to apportionment currently available to municipalities under the terms of the Education Act.

With the amendments included in Bill 100, appeals will be directed to arbitration by municipi-

pal treasurers only on questions of error or omission in the assessment data or in their calculation and where the provisions of the regulations under the Education Act have not been applied. This modified appeal process will ensure a fair and orderly phase-in of updated equalization factors. It will also remove the uncertainty of potential arbitration rulings that could award some municipalities large adjustments at the cost of other municipalities.

In the meantime, as we phase in updated factors, all municipalities will move towards fairer tax apportionments that will be based on updated property values.

We believe that in phasing in the use of updated factors, we have taken a responsible step to correct a situation that has been left largely unattended since 1970, and I hope all members will join me in supporting this initiative.

**The Acting Speaker (Miss Roberts):** Are there any comments or questions with respect to the remarks by the minister?

**Mr. Sterling:** I would like to ask a couple of questions and use the procedures in order to do that.

Would the minister confirm, first, how the actual formula is arrived at, and second, how in fact is it put into place? Is it put into place by regulation, by order in council or a by cabinet order?

The other question I have relates to the divisional board set up that is made up of the treasurers of the various municipalities that would comprise part of that board. Does a majority vote of the treasurers carry the day with regard to that divisional board, thereby putting into effect a situation where a number of treasurers from very small municipalities could in fact control the decision of the board.

1600

**Mr. R. F. Johnston:** I will not repeat the questions that are raised by the member for Carleton (Mr. Sterling), which I also would like to have answers to, but I would be interested in the notion of the principle involved in moving away from an appeals mechanism before the minister has completed a phase-in of his new system. Even if the new system were a just system, it seems to me some intermediary steps being ultimately phased in would be a wise course of action.

**Hon. Mr. Ward:** Just very briefly in response to the concern as to when the apportionments are calculated and how they are transmitted, they are transmitted during the course of the disbursement



of the general legislative grant regulations, which traditionally occurs in February or March of each year.

I think it is important to look at this whole issue in its historical context. The member for Carleton will recall that back in 1969 the government of the day moved away from assessments being done at the local municipal level, I think with great fanfare and with an honest intent to move towards significant property tax reform in this province over the course of the next 10 or 15 years.

At great public expense, assessments were done from one end of this province to the other by the Ministry of Revenue. Unfortunately, though, that whole process got off the rails. Different municipalities opted into moving towards market value assessment and away from their old individual assessment. What we have is a situation in which any number of assessment bases were established from municipality to municipality in this province. Therefore, it was something less than an objective exercise in determining an apportionment, whether it was for school board purposes or for upper-tier, county or regional purposes. By bringing in the updated, equalized factors, using the data that are available clear across this province on the basis of those ministry—

**The Acting Speaker:** The minister's time has expired.

**Hon. Mr. Ward:** I am sorry; I guess I will have to do that in wrap-up.

**Mr. Sterling:** I have no objection to giving the minister another two or three minutes to respond both to my concerns and those of the member for Scarborough West.

**The Acting Speaker:** May I have unanimous consent of the House to allow the minister to complete his response?

Agreed to.

**Hon. Mr. Ward:** My apologies, Madam Speaker. I guess I should have done it in wrapup. I was not paying attention to the two-minute time frame.

As I was saying, the data are now available. Since we have brought in the new equalized factors, I think we can say with certainty that this is now an objective and empirical exercise. Everyone knows with some assuredness the accuracy of the assessment information. It does not have the flexibility of local property assessors making some determinations on a municipal basis. Therefore, the whole matter very much becomes one of number crunching in terms of the

information that is used to determine which municipality pays what share of the local school board levy.

In terms of the actual process and the role that the treasurers play, it is the same role they have played over the course of the last many years in determining apportionments for trustee representation and municipal representation. It is the same role they have played over the years for determining county or regional apportionments. When it comes down to saying precisely whether or not a vote is actually taken, I cannot respond directly to the members on that. As far as I know, it is a matter of an agreement among the parties and is very much a straightforward mathematical exercise.

**Mr. R. F. Johnston:** There are times, as a critic, when you have to deal with matters that are certainly not designed to deal with your particular mental aptitudes. I would not want to try to enumerate mine—it being a very long list, it would take too much time in the House, of course—but there are certain I have difficulty with, and number crunching is not necessarily my forte. But I do want to make a few comments about this bill, which will be largely incomprehensible to most people watching the proceedings today and perhaps to many members of the House as well.

The minister has tried to put this matter into a historical perspective and I thank him for that. I think it is helpful for us, but I think a number of questions still remain which we need some answers to, and not just as opposition critics but as representing and trying to represent in the House the views of some major organizations in Ontario; in this case, specifically the Association of Municipalities of Ontario which belatedly, I must say, has contacted the critics and other members of the House and said it has major concerns with this legislation and would like a chance to come before the House to be able to express its opinions.

As a result, to enable that organization representing all the municipalities of Ontario, we will be suggesting that this be ordered out to committee—one would presume the standing committee on social development—to find the time, perhaps in the next week or two, when we could have a day's hearing during which groups like AMO may come in and have the kind of discussion with the minister about whether this is timely, whether it is just a matter of straight number crunching or whether there is still a need for a right of appeal for aggrieved municipalities



or boards that feel their assessment has been inappropriate.

There have not been many cases of appeals under the existing legislation, but there are some recent ones one can refer to. I was hoping that perhaps in the wrapup, the minister could talk a little bit about how, for instance, a recent situation in Nepean, as I recall, is avoided under the new system, and why that need to appeal to the OMB would no longer be there for them. Using a particular example might make it easier for some of us who are not accountants, of mind and practice, to be able to understand what is going on here.

The principles that have applied in the past have been that where you have small municipalities which, through a regional board, have apportionments of money to them to run their various school boards, a particular school board can complain, first, to that divisional board about the way the apportionment has been done and hope there is redress for its grievance; failing that, it can go to the Ontario Municipal Board, take its grievance there and hope the OMB will agree with its position and change the apportionment.

What seems to be taking place is that we are in the middle—not even in the middle—we are at the first steps now of a major change in the way the system of apportionment takes place, which is supposedly going to reduce the amount of local flexibility that is there and have a formula that takes into account the kinds of concerns all municipalities would have in terms of how these boards receive their moneys.

But the minister himself has said today that we are only partially into the process of that this year. With the new announcement of the general legislative grants early this spring, we now are going to be dealing with one fifth of the market value component, as he was saying, and a five per cent factor which is being brought in, presumably to be changed in its interpretation over the next number of years.

My question to him which he did not really have time to respond to in his two-minute extended allocation was that here we are at the beginning of that change of process, and at this stage, in 1988, I am not clear how much local input there still is on the assessment and apportionment factor and how much of it is now carried so much by the new regulations that if somebody wanted to appeal, he would in fact be appealing against the provincial government's opinion on this rather than any determination by local treasurers.

**1610**

If you look at the legislation, which is very short legislation, the treasurers are still being given powers in terms of apportionment, because there is a right to appeal to them about errors of omission or of calculation in the assessment. There is, therefore, admitted to be some sort of role continuing.

I guess what I need to know today, as we go into the committee stage, is: In 1988, how much of a role is there? Is there still the situation where the determinations of apportionment could be so extreme that, for instance, a very small municipality in a collection of municipalities, which has a very low tax base or has a very high unemployment rate in that given year, might feel that it is sufficiently aggrieved that it would like to appeal and it will have no place to appeal, or are we far enough into this new mechanism that is being developed that that will not be the case? Can the minister tell us where we are in this process at the moment, how long it is going to take to complete, and does he think that in fact some temporary bridging amendment is important in order to protect that basic principle of appeal that we would all support in this House?

The other thing I am not clear about is, after the new equalization formula is completed, whether it is possible that the mathematical variances which have been developed are still going to leave some municipalities with a grievance, still make them feel that, because of their own particular circumstances, whatever they might be, they are not being dealt with fairly under the new provincial regulations and no longer want to direct their appeal at all to the local treasurers or to the Ontario Municipal Board about decisions of the treasurers, but in fact want to appeal to the government or to some body about the provincial government's jurisdiction. Is that a possibility? If that is a possibility, what kind of appeal mechanism does the minister see as replacing the old-style appeal which would now reflect the reality of the new equalization formula that the government has developed?

We will be opposing this bill until we are certain, after these hearings with the Association of Municipalities of Ontario, that its concerns are being addressed by the government. At that time we will be reconsidering our position as we come back to third reading, but we are anxious that we not proceed to take away an appeal mechanism, that very basic process which is so crucial in a democratic government and community like our own, without understanding that somebody's rights may be being curtailed.



As a result, we will be opposing the second reading of this legislation and referring it to committee, and we will be interested to see how the interests of AMO and the government can be accommodated through amendment, if necessary, or just through explication, if that is all it is going to take.

**Mr. Jackson:** I am pleased to respond to Bill 100, but I am a little less than pleased with its content. I would first like to address what we in our party consider to be the fundamental problems of the premise of this bill. I would then like to address some of the specific concerns we have in relation to the absence of an equitable appeal of municipal school tax apportionments affected by Bill 100.

For the benefit of those members not apprised of the city of Nepean's recent appeal of the distribution of its school taxes across several area municipalities, let me very briefly say that the impetus for this bill is the result of an OMB decision that provided for an equitable distribution of municipal school taxes across a number of municipal jurisdictions within the Carleton Board of Education.

The city felt that its share of apportionment was unfair and imposed an undue burden on its ratepayers. Consequently, they introduced an appeal to the OMB which they subsequently won. That was a victory for the equity they were seeking and my colleague the member for Carleton (Mr. Sterling) will, in a moment, briefly explain the details of that case more fully.

Suffice it to say that the Ontario Municipal Board, in that case, as in potentially many other cases, provided an independent hearing for all the parties involved to air their concerns over the equitability of apportionment. The long and the short of it is that the system worked. It was working and it continues to work. But Bill 100, on the other hand, will take away this right of appeal. Their only avenue now is to go the route of an appeal to the divisional board which is really a second-best solution.

Currently, at least one city is in the process of preparing a freedom-of-information request to find out what the new regulations used by the Minister of Education (Mr. Ward) for apportionment adjustments will really mean and we hope that he will be forthcoming with that information.

Aside from the obvious difficulty this government has had with providing information under the Freedom of Information and Protection of Privacy Act, if this city does receive word on the new assessment factors, it will have no right of

appeal to the OMB on the basis of an equitable distribution of its 1988-89 apportionment.

I cannot understand the rationale for denying them this right. In essence, the Ministry of Education has granted itself the authority to force a school board to apportion and thereby compel a municipality to levy local taxes on any basis the ministry pleases without review or appeal to the OMB.

Some would argue that the loss of this appeal is not that significant. In fact, this right has been used quite frequently. However, this puts more force in the direction of keeping the right of appeal in the current legislation.

In the past, the ministry has done fairly well in distributing the share of apportionment equitably across the province. The relatively few times that the OMB has been utilized for appeals of this nature is testimony to that. However, as members of the House have pointed out, some members more than others, the Ministry of Education has been known to err before.

Let me also say that the potential for ratepayers to wish an appeal to be launched on their behalf is now greater than ever before, with more and more people recognizing this government's failure to live up to its commitment to shoulder a greater share of educational costs as it has promised in the last two election campaigns. The potential for irate ratepayers to voice their discontent to the OMB has increased exponentially.

I believe that the current system of apportionment appeal, which allows for an independent body to decide questions of equity and apportionment, is worthy of support. Let me also say that the Progressive Conservative Party cannot support Bill 100 in its present form. Hence, as the minister stated in his commitment in this House to the committee system, just last week he agreed publicly that the process worked well and, therefore, I will be calling upon him to refer this bill to the standing committee on social development.

I hope he will support that commitment and participate in what would be, I believe, brief and short hearings, but would in fact be fair to both the Association of Municipalities of Ontario and the school boards in the Ottawa-Carleton area that have expressed a specific desire to come before a committee of this House to respond to this bill.

I appreciate that if we can proceed in this fashion, we may be able to resolve this matter in the next couple of weeks. I think it is important that we listen to the concerns of the boards and to



AMO and allow them to maintain their appeal mechanism, which past boards have enjoyed. We hope that, in the future, they will be able to as well.

1620

**Mr. Sterling:** I am pleased that one of the people who has had the most extensive experience with this whole concept and piece of legislation is here with us in the member's gallery: Dr. Hal Hansen, the chairman of the Carleton Board of Education. Dr. Hansen was kind enough to copy a letter which he had sent to the minister early in May regarding Bill 100, and I am going to talk a little bit about it.

While this bill seems to be rather innocuous in terms of its size and the understanding of it, actually, I guess if the taxpayers of Ontario looked at a piece of legislation like this in view of the substantial property taxes they pay each year for our education system, there might be a significant interest in what we are doing this afternoon.

This bill really has more to do with municipal governments in a lot of ways than it does with the education system, because what Bill 100 does is tell the property taxpayer how large a cheque he is going to have to write out each year for the education part of his taxes. In the area I represent, this represents a significant portion of my very own tax bill, and for the 27,000 households I represent in Carleton, it also represents a significant portion of their tax bills.

I would like to thank the minister with regard to the settlement of the dispute which arose over an appeal relating to the 1984, 1985, 1986 and 1987 apportionments in the Ottawa-Carleton area. After some pleading with the minister on both my part and the part of other members of the Legislature from that area on both the opposition side and the government side, the ministry did come forward with some \$4 million to settle old accounts. Really, I think Bill 100 springs out of the problem that arose as a result of those appeals, particularly by the city of Nepean and the township of Goulbourn. I do not represent the city of Nepean—I see the member for Nepean (Mr. Daigeler) is here—but I do represent the township of Goulbourn.

What happened in that particular case is that the city of Nepean and the township of Goulbourn sat down after looking at the piece of the pie they were required to pay in relation to the Carleton Board of Education's annual levy and said: "This isn't fair. The formula which the Ministry of Education has put forward is not fair

to our property taxpayers. Therefore, we're going to appeal."

They first went to this divisional board which is made up of the treasurers of the various municipalities. Those treasurers could not get their heads together and say, "We will cut a deal in such a fashion that will be fair to the township of Nepean, the township of Goulbourn, the city of Gloucester, the township of Cumberland, the township of Osgoode, the township of Rideau and the township of West Carleton." Those are all the municipalities involved in the Carleton Board of Education.

They took it the next step, which was an appeal to an independent body, the Ontario Municipal Board. The OMB, as pointed out by Dr. Hansen, being an independent body, found—I want to quote, and he was kind enough to put it in his letter:

"The board finds that the method used in the regulations does not produce equal taxes on equal valued property, nor is it possible, under the existing assessment and taxation procedures, to achieve this result on all property classes in all municipalities. The board, however, does accept Mr. Stamm's view that the first priority of the Ministry of Education is to achieve equity among residences."

What happened in that case was that we had, on one side of the road, in one municipality, a three-bedroom bungalow which was of equivalent value to a three-bedroom bungalow on the other side of the road but, each one being in different municipalities, one paid \$800 a year more in property taxes as a result of the apportionment formula the Ministry of Education had in effect. So the inequity or the unfairness was self-evident. The board saw that and said, "There has to be a remedy here." They instituted the powers under the existing legislation to remedy the situation.

Now what we have is the Ministry of Education facing the situation and, I believe, creating a better formula now than was in place before. I give them credit for that and for their approach in terms of implementing that over a number of years. One fifth at a time over five years is a good approach too because it has more effect on a number of small municipalities than the larger municipalities. Therefore, it kicks quite a hole in the township tax levy in the case of the small municipalities, and particularly the township of West Carleton.

Notwithstanding the minister arguing that he now has a fair formula—and I think he probably does have a fair formula—if it is indeed fair, then



why worry about a mechanism which allows municipalities that feel aggrieved to go to the OMB? Under the present law, as I understand it, even if the kickout is wrong, the municipality still must come up with the money in any given year.

It is not the case that the Carleton Board of Education would be issuing a levy based on the formula as it understood it and not getting paid by the municipality that felt aggrieved and wanted to appeal. They would still get their money to run the schools, etc., and the municipality would have to pay. It is not a situation of a municipality being put in a position by allowing it to appeal to stall the process and not pay its bills. They have to pay their bills under the present law. But what this legislation does is strip away the right to appeal to an independent tribunal to have the matter settled.

The trouble with the divisional board process is that, first of all, it can consider only the formula and the mathematical calculations. They cannot attack the equity or the fairness of the formula that is put there. They cannot say, "In our situation, because of our assessment schemes or whatever, this formula is not fair." They cannot go then to the Ontario Municipal Board and make that argument before an independent board. The treasurers, under the divisional board, can really only make a decision, as far as I know or I understand, if it is a unanimous decision by all the treasurers who are sitting around that particular table, if they agree.

This is not important only in the formal sense of the right to appeal. What this act, in terms of its practical effect, will also do, in my humble opinion, is not put in front of the divisional board a reasonable bargaining tool for an aggrieved board. My feeling is that if there is not even a chance of a threat of an appeal to the OMB, a treasurer who feels that what has been done is unfair, or even that the calculations are unfair, will not get a fair hearing because he does not have the negotiating tool to go that next step.

That is a minor point in terms of what has gone on, but that is what has happened in the past. If you look back in the history of the case of the city of Nepean and the township of Goulbourn, in terms of appealing, I think you will find the treasurers did try to accommodate the concerns of Nepean and Goulbourn over a period of time, but they finally ended in frustration in 1984 and that led to the appeal. That was not when the frustration started. It started much earlier than that—I believe in the early 1980s. I could be corrected on the timing in that particular part.

The fact of the matter is that those negotiations, in my view, will not take place when you strip away the final appeal.

**1630**

I must bring forward that the municipality I represent, the township of Goulbourn, which did appeal successfully under the old rules and I think received in the neighbourhood of \$300,000, which was significant for a municipality of approximately 10,000 or 11,000 people, has asked me to pass along a resolution to the House that a municipality must be allowed to appeal its apportionment if, in its opinion, undue burden exists and that an independent agency such as the Ontario Municipal Board should be available to hear and determine such an appeal.

Quite frankly, in terms of the minister's striking of the new formula, I feel he is on the right track as far as that particular formula goes, but I still challenge him with regard to the fact that in some cases there will be inequities that are seen within the formula he has put down. For instance, those inequities are going to be there next year.

While I guess his ministry has been asked to provide figures or calculations as to how this would break out under the Carleton Board of Education, I can only point out that if you take a three-bedroom bungalow in the various municipalities that come under the jurisdiction of the Carleton Board of Education—I mentioned them before; I think there are eight of them—you have taxes ranging from a low of \$670 a year to a maximum of \$1,115 a year. I might add that the maximum comes in the riding of the member of Nepean, not my own riding, so I am speaking on behalf of his residents in particular regarding the inequities involved in this piece of legislation.

I am speaking also for the city of Nepean to have the right to appeal on the equity of the formula as well. I hope the member for Nepean will vote along with my party in opposing Bill 100 and protect the property taxpayers in Nepean. I am sure he will. He is smiling; I do not think he will do that then. I do not know if he is going to speak. I think he might try to rationalize himself out of this position.

At any rate, I think it is important because the fight by the city of Nepean and the township of Goulbourn was long and hard. I think the inequities that were evident in the formula before are going to be done away with, but there is no guarantee of it. As I understand it, the formula is set at the whim of the Minister of Education, so whatever he thinks is fair is fair. There are no clear legislative guidelines that say the minister



must make the formula in accordance with these rules. While I would never impute ill motive to any minister in terms of doing that, because he would be in hot water if he tried to do something that is grossly unfair, there could be a situation where, unintentionally, a formula could be put in that particular situation.

The Carleton Board of Education, which was the focal point of this particular issue of Bill 100, put forward the following resolution, which I will read with the consent of the chairman, who was just here and gave me his consent:

"That the Carleton Board of Education request that Bill 100 be revised to allow an independent agency to hear an appeal against an inequitable and unfair apportionment of school board levies."

Therefore, we will no doubt be moving amendments in the committee, where I assume the government is going to support its own piece of legislation, but we feel, quite frankly, that this issue goes to the heart of this legislation, so we are unable to give it our approval on second reading but we will certainly act in a very constructive manner, along with the ministry, to revise this otherwise good bill that has a principal flaw in it.

**Hon. Mr. Ward:** I do very much appreciate the interventions of the honourable members of the opposition and the very good questions they raise.

I think it is important to point out, though, that in terms of a lot of the issues that have been raised relative to the municipal tax burden in terms of the funding of education, concerns over variances in assessment on a property-to-property basis, while they may be interesting, I do not think they speak specifically to the legislation that is before us. I think the members have correctly identified that the major thrust is in fact the updating of the equalization factors and that this has been a necessary component of that exercise, but I should caution the members to note carefully that in bringing in the updated equalization factors this year, we did so in such a way that they could be phased in.

The reasons for that, I hope, are abundantly clear, because there is no denying that any change in equalization factors does have impacts. It does represent a shift from one property taxpayer to another, and the whole premise of moving in that direction, as the member for Carleton (Mr. Sterling) will know, having been here many, many years when the issue of property tax reform was under consideration, is

that those shifts are intended to create greater equity.

Certainly we could have moved to using the new assessment data and the new equalization factors all at once in one given year as it were, but it was felt that there was a danger in encouraging those kinds of shifts taking place on the property tax bill, and consequently the decision was made to go on a three-year basis.

The difficulty in retaining further appeal mechanisms in that regard is the availability now of updated and current assessment values readily at the disposal of an appellant to go in and to challenge the factors that perhaps would have been used alternatively without this update. I fear very much that to do that would clearly eliminate our ability to phase this in to lessen the impacts in any one given year.

I think that is an important point to be noted and to be cognizant of, because clearly a municipality that over the course of the next three years may be reducing its apportionment, say by 10 per cent—which, by the way, is the case in Goulbourn—could then find itself facing an appeal from other municipalities that say: "Why should we have to wait the three years? You have the current data now. We want it all at once." Consequently, we are forced to weigh one problem against another and they are both legitimate concerns.

I just want to speak briefly to the Nepean issue. That matter, I think, went on certainly a lot longer than four or five years. In fact, the first appeal was in the 1970s, and the parties did settle. It was an out-of-court settlement, as it were, as a result of what transpired at the hearings or whatever.

You have to bear in mind the very reason for that appeal was a sense of inequity, a sense of unfairness in the way that assessment information was being utilized to generate the apportionment figures. Had the decision been made 10 or 15 years ago—whatever—to use current data which was available, those taxpayers would never have been burdened with what ultimately was determined to be an unfair apportionment. I think that is equally important to note as well.

**1640**

I just make those points in closing. I am looking forward to the presentation put forward by the Association of Municipalities of Ontario. I just want to add that I do not believe there was any more flexibility in the past practice. There has been some reference to that. The whole basis of the appeal was the inherent unfairness of



varying systems of assessment from municipality to municipality.

The question was raised as to what happens with those which are currently under appeal. The legislation does in fact establish a date. Those matters which were under appeal prior to the utilization of the new factors will still be heard. I will point out, though, that subject to Nepean, unless the members feel that was an isolated case, the Ontario Municipal Board was flooded by requests by something like 40 or 50 jurisdictions from one end of the province to the other, which clearly recognized that there were inequities, that those would be heard by the board, because the data base was just so blatantly outdated, some 19 years out of date, that obviously everyone was prepared to go to the board and take their chances.

The one thing that really brought this issue home to me was the opportunity I had in February to visit most of the boards of education in northwestern Ontario, where there happened to be a large number of apportionment appeals.

Notwithstanding what the public positions may have been of the trustees or the chairmen, time and time again they said to me how concerned they were with the fact that this outdated data was pitting municipality against municipality within a board jurisdiction; that the loss of a significant industrial assessment in one area could have a fundamental impact; that nobody had any faith in the data which were available; that the whole exercise was totally nonproductive.

Notwithstanding what impacts may take place in their own community, whether they were to go up or down in terms of apportionment, their plea to me was: "Let's get this thing done properly. Let's bite the bullet and bring these factors which are 19 years out of date up to current terms. Whatever the impacts are, we'll live with them. It's far better than community fighting community."

That led us to the equalization factors, that led us to developing a phase-in and that leads us to this mechanism which I think is consistent with the fact that the exercise is now objective and there is no basis or reason for the utilization of the Ontario Municipal Board in this fashion.

**The Deputy Speaker:** Hon. Mr. Ward has moved second reading of Bill 100, An Act to amend the Education Act. Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

Bill ordered for standing committee on social development.

#### MUNICIPAL STATUTE LAW AMENDMENT ACT

Hon. Mr. Eakins moved second reading of Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities.

**Hon. Mr. Eakins:** This legislation will make a number of minor amendments to the Municipal Act so that it will more accurately reflect the current trends of the municipal sector. I do not intend to take the time of the House to describe all the proposed amendments. Indeed, many of them are of a housekeeping nature and do not require further elaboration. However, I do want to point out to the members some of the more important provisions.

Section 160 will be revised to increase the annual tax payable to municipalities for such institutions as public hospitals, correctional institutions, community colleges and universities. These payments are being increased from \$50 to \$75 per student, resident place or rate of bed. The amendment provides for the payment of these higher amounts to some 200 eligible municipalities.

The final report of the Advisory Committee on Municipal Liability Insurance in Ontario recommended that a clear legislative base be established for municipal self-insurance and reciprocal insurance exchanges as an alternative to the present limited market for municipal liability insurance. The provisions of this bill will implement these recommendations by affording municipalities the option of self-insuring and the ability to participate in a reciprocal insurance exchange.

The legislation will also clarify that municipalities are permitted to borrow temporarily until all of their revenues have been received. Furthermore, the range of short-term borrowing instruments available to municipalities will be expanded to include a banker's acceptance.

In addition, the legislation will allow municipalities to delegate their authority for temporary road closings to a committee of council or to a municipal official.

Another amendment will substantially increase the fines for both individuals and corporations for contraventions of municipal sewer-use bylaws.

Finally, the legislation will make amendments to the acts for Metropolitan Toronto, the regional



municipalities, the district of Muskoka and the county of Oxford to parallel the changes that are being made to the Municipal Act regarding municipal insurance and the use of bankers' acceptances.

**Mr. Breagh:** We will support the proposed legislation by the ministry. Essentially, I guess, there is a process that has evolved over the years of each of the municipalities bringing forward certain difficulties that it has encountered in the last little while with the Municipal Act and other acts, and a process of consultation has been developed over the years that eventually produces a bill such as this on pretty much an annual basis.

When you read the details of the bill, there are not a lot of shocks to be encountered in there, but one thing that does come through in the bill is the restrictive nature of legislation governing municipalities in Ontario and that a lot of this truly restrictive nature is a holdover from the days when many municipalities did not have administration of their own, they were very much creatures of the province, and they were very much things which had an elected body that you could identify but there really was not the staff to carry very many of the duties of the council.

As one reads through this bill and looks at the various changes that are being made, one is once again struck by the notion that there are some very large municipalities with very sophisticated administrations that are not allowed to do a whole lot of things. One would have thought, for example, that if municipal councils were interested in the concept of self-insurance, those that have studied it and put together very sophisticated reports on that matter and analysed it and gone through their municipal organizations and had great seminars on the matter and conferences about it were reasonably mature people and that they should have been able to do that; and yet, the Municipal Act was not clear in all of that.

One of the other little interesting changes that is being proposed in here is the age-old argument on how one finances sewers. To give you one example in my own area, at one time there was a co-op project put in on Garrard Road, which is on the border between Oshawa and Whitby. At the time it was put in, there were no sewers that were made available to those residents, so they had to use large lots in order to accommodate weeping tiles that are necessary with septic tanks. They were forever operating off a community well and did their own distribution system. It worked quite well for a long period of time until there was more development in the area and then they

began to have some problems with that and then, of course, went to the municipality and cried out for city services, sanitary sewers and the provision of water services.

1650

When it came time to actually put this stuff in the ground, the municipality found out that it was locked into a technique that seemed to be appropriate in many other places, except when you put these city services into a subdivision that essentially was built to a rural standard, had large lots with a lot of frontage and you were paying on a per-foot basis for the installation of that, the municipality very often found that what it would actually cost to get city services would be \$8,000 to \$10,000 a lot. That is a lot of money.

The municipality was not able to respond, even though it probably could have, with any other form of financing technique, so the bill, for example, does provide for some little variations of the traditional schemes on how to do that.

I regret somewhat that there is not a smoother way to do this. I know there are problems with turning the municipalities loose. In my experience as a municipal critic for my own party, for example, once in a while there are municipalities which, it would seem, break the rules and do not act properly, but I would have to say that municipal governments all over Ontario have a pretty solid track record. There are very few exceptions. I can think of one, in northern Ontario where the ministry had to take it into receivership because it got into some financial difficulties.

Most municipalities now, large and small, are pretty sophisticated in the way they are run. They could certainly stand legislation that was a little broader than the Municipal Act. If that is not the preference of the government, then I think some better way of evolving into these kinds of annual changes ought to be worked out.

I know there is a process there. The minister and I have both been in municipal politics and we have been to these conferences and we know how staff work it out. On this bill, for example, not every staff member in Ontario is happy with the proposed changes, but at the very least the minister is in a position now to argue that there is a process of identifying how we should develop changes to the Municipal Act. It has been argued out there. You win some and you lose some. Not everybody is happy with every single change that is being proposed in this particular bill. I am aware that there are other municipalities that would like further changes in the Municipal Act.



I think it would be useful now for the ministry to do a little broader review of how we get to this stage and whether it is actually necessary to have quite so cumbersome a process at work. It seems to me that many municipalities could accept a good deal more responsibility and latitude than they are currently given under the Municipal Act, and many of the restrictions that are placed on them are really not necessary.

I recognize that there is a process at work here. I am reluctant to interfere with that process because it has served us well for a number of years, but I do think we need to develop a system that expedites these changes.

I will conclude by saying that I think anybody who has ever served on a municipal council gets very upset from time to time that the municipality wants to do something that everybody on the council thinks is a most reasonable way to proceed. Then the city solicitor stands up and gives the legal opinion that the Municipal Act does not allow you to do this. Sometimes it is pretty hard, when you are sitting there, to figure out just why it is that you are governed by a Municipal Act that might have been appropriate 50 years ago but is not any more, and why you are somehow forbidden by this ancient piece of legislation from doing the sensible thing.

I wish we could respond to them in a better way, a faster way, but I do recognize that this is the end product of a process which has worked for many years. I just think that process needs some revision.

**Mr. McCague:** We are generally in support of this bill. One thing I do not believe the honourable member of the official opposition raised is the issue of the election of warden. I think we are in a situation here where the larger municipalities really are not involved in that particular issue and the voice of the smaller municipalities may not be heard. I presume the minister will want to address this at some point.

In the case of Simcoe county, there was a great effort, and a private bill a few years ago, to cut down the size of Simcoe county council, which got up as high as 55 members. In fact, at one point in time it was the fourth-largest governing body in the Dominion of Canada. It was decided that it was prudent to cut down the size of that county council, and of course the principle of each municipality having representation on that county council was maintained.

I presume the largest population in a municipality in Simcoe county is around 13,000, and that is a rural population, and the smallest is something in the area of 500 electors. It may have

risen; my figures may be a little out of date. It may be up to 1,000 at this particular point in time. Yet I see that the legislation says that there will be only one vote per member.

Obviously, the county council can decide that there should be one member for the first 5,000 voters, and each 5,000 after that would get you another member of county council, which in some cases would put it up to three members per municipality. What I think we do in this Legislature is get representation by population. I just wonder if this particular point was overlooked in the drafting of the legislation. Granted, the Association of Municipalities of Ontario, in its comments, is basically endorsing what the minister has in his legislation.

I know that AMO also recommends the way of breaking a tie. It is always a very difficult thing to lose out by lot. I have not known one but there may be a case the minister will tell us about where, after 4 or 14 hours, it is still a deadlock. I have known of ties that have existed in the past and a little time broke those ties, but it may be preferable in everybody's minds, not necessarily in mine, to break a tie by lot.

I note that there has been consultation with AMO on all these points and that both AMO and the Municipal Engineers Association have some concerns with parts of the bill, in particular the increased fines for serious bylaw infraction.

What is pointed out is that there are set fines within—is it the Environmental Protection Act? I believe that is the case. It is pointed out here that with respect to the fines that could be levied against a municipality, which may have already been levied against a ratepayer, be it an individual ratepayer or a corporation, the maximum fine in the first instance against the polluter, if you want to put it that way, is at one level, yet the fine against the municipality is at a much higher level. Therefore, you could get a situation where the fine to the polluter is \$10,000 a day and to the municipality is \$25,000 a day, and therefore the municipality would lose out.

The minister will correct me if I am wrong in that analogy. I think what is being recommended is that the fines in this instance be exactly the same as the fines in the Environmental Protection Act or whatever that piece of legislation is.

#### 1700

Also, AMO is opposed to the 21-day extension of the notice period. They feel that 14 days, as presently is the case, is adequate. I would be interested to have comments from the minister as to why he did not take their recommendation and incorporate it in the legislation.



It seems to me that we have amendments each year to the Municipal Act and to certain other acts related to municipalities. As far as tax refunds arising from clerical errors are concerned, the recommendation of AMO would seem to make a lot of sense. They are not really opposed to the principle that is espoused in this legislation, but they are saying that they think the ministry has only gone halfway. They are asking that the minister have these sections removed completely from the bill and dealt with separately at a later time after further consultation. A recommendation like that would seem to me to make abundant sense if waiting another year, until the next round comes along, would lead to more consultation and a better solution to this particular problem.

Most certainly we would endorse the municipal powers regarding insurance. We are all well aware of the difficulties they have had in that general area. They need a legislative base to allow them to self-insure or to join reciprocal insurance exchanges and provide liability insurance to those volunteers acting on behalf of the municipality.

The tax levy on public institutions is very welcome. The fact that the minister will increase the annual tax rate on the resident place or full-time student basis by 50 per cent is very welcome news.

Other than that, I think it is good legislation. Redeeming debentures by lot seems to be a fair way to do it, and I am glad the minister is adding that to the regional acts and to the acts for Metropolitan Toronto, Muskoka and Oxford.

Short-time borrowing is also a good idea.

Temporary closing of municipal roads: I did not realize that the minister was getting into the film-making business, but if he is, I certainly would want him to be able to close a road to allow him to get his picture taken.

School fees in municipally owned trailer parks: That is something that has perplexed municipalities for some time and is a valuable addition to the legislation.

The three areas I would like to have the minister comment on are the election of a warden and the one vote per member of county council, whether the minister will consider standardizing the fines for sewer-use bylaw infractions to have them the same in all the provincial acts and whether the minister will accede to the municipalities' recommendation that 14 days is sufficient—it probably is—for the extension of notice. I would also ask the minister to consider setting aside the issue of tax refunds arising from

clerical errors until his next round of Municipal Act amendments.

**Ms. Bryden:** While this bill is partly house-keeping, it does have some rather significant items added to it and one of them is the increase in the penalties for discharging wastes into sewers. This penalty that is here of \$5,000 for the first offence and \$10,000 for the second for individuals, and \$25,000 and \$50,000 for corporations, appears to be in line with the penalties in the Environmental Protection Act for offences that are considered technical offences rather than outright pollution by corporations and individuals.

But I think the offence of discharging wastes into sewers is something that is not being recognized as a very serious offence, particularly in large industrial areas, or areas with a great amount of industrial activities, such as the city of Toronto. I am told that of the toxic materials that come into the sewage plant, more than half comes from what is dumped into the sewers by industry, rather than what comes into the sewers from the normal sanitary sewer collection.

The problem is that a lot of these materials that are being dumped into the sewers are not monitored. We do not really know what is in them, whether they are toxic metals, materials that are cancer-producing agents or materials that will interact with other materials in the sewage system and cause new toxic substances such as dioxins. We do not know whether they include polychlorinated biphenyls; the testing for those is merely a matter of occasionally monitoring what is coming in. I think we have to be much tougher on companies that are discharging wastes into the sewers.

The workers in the main sewage plant at Ashbridges Bay, which is in my riding, have been complaining of illnesses, rashes, lung effects and stomach effects just from the atmosphere of the plant and whatever they inhale or whatever they handle in their work. A great many of them feel that there has not been adequate medical examination and testing of the employees to see what the cause is of these illnesses.

They have requested the Ministry of Health to undertake surveys, but so far it has been left to the union people to have themselves tested under the Ontario health insurance plan on a voluntary basis. They have confirmed that many of their workers are suffering from the effects of what appear to be toxics that are coming in through the sewers.



What this means is that the sewers are being used as a disposal service and as a cesspool, really, for industrial processes that should perhaps never have been undertaken, because no industrial process that creates toxics should be started without adequate pre-testing of its effects. But we do not have a law that requires the pre-testing of the use of chemicals and toxic materials. The law seems to wait until actual damage occurs or illnesses occur and then the claims investigators at the Workers' Compensation Board determine whether there has been an actual toxic discharge that should not have been allowed.

1710

I think if we had stiffer penalties on the discharge of wastes into the sewers, we might get industry to start revamping its processes, in the first place to not introduce any new chemicals or toxics until it has investigated the effects on people and on the sewer system and the interaction with other things in the system.

Second, industries should be encouraged to recycle any toxics that can be sold. One man's poison is another man's gold. Some of the toxics that they are dumping in order just to get rid of them could probably be marketed, and I think industry should be encouraged to do that.

The other thing is that they should be looking at means of production which do not call for toxics. They should be looking at new methods that will be more efficient and more conducive to health. If you had very serious fines for dumping into the sewers, I think you might get the companies to attend much more to the problem and to take a much more serious attitude to it.

In some areas, the penalties for pollution include jail sentences for the managers and the board members if they are condoning activities that are detrimental to the environment or to health. I think in this area, if we find toxics going into the Toronto sewers or into any other major industrial city's sewers, there should be penalties, including jail sentences, in the legislation. That is the only way to concentrate their minds, so to speak. Even if the fine is \$50,000 or \$100,000, that is often just a licence to pollute.

I hope the ministry will consider redefining the kinds of offences to which the minister is applying the fines that are in this act, the new fines, and consider whether there should not be jail sentences and a more serious effort to stop industry from producing the pollutants that are going into the sewer system. Our sewage plants are just not geared to handle a lot of the toxics that are coming into them, and that is one of the

reasons the lakeshore and the lake itself are becoming so polluted. Until we get that under control by stopping it at its source, we are never going to clean up our Great Lakes.

**Mr. McCague:** Since the matter of the member's comments was pollution, I might just use the opportunity to tell the minister that what I was referring to was fines similar to the Environment Enforcement Statute Law Amendment Act, which name I was unable to recite at the moment of my comments.

**Ms. Bryden:** The member is probably referring to the 1986 enforcement law for the environment. As the House will probably recall, I think all parties were demanding an increase in the penalties under the Environmental Protection Act and under various other acts protecting our water resources, our forest resources and things of that sort, and our air.

But I think we have not gone far enough yet with sufficient penalties under all these acts to ensure that we are going to have a clean and unpolluted environment. I think you will find in the schools that youngsters are most concerned about the degradation of our environment and are wanting action that will make governments much more conscious of the effects and be much tougher in their protection of the environment.

**Hon. Mr. Eakins:** I want to thank the honourable members for their comments, their participation in the debate and their support of this bill. What it does, really, is clean up a number of areas which have been pending for some period of time. I feel that parts of this bill do reflect the fact that we have been listening to our municipal people and have sought their support in bringing forth Bill 59.

The member for Oshawa (Mr. Breaugh) made a good point with regard to finding better ways of dealing with these amendments and dealing with the situations generally. I want to say that we do have regular, ongoing meetings with all the municipal associations. We have regular meetings with the Association of Municipalities of Ontario, at which many of the concerns raised here today are discussed.

I am also available to meet with many of the municipal leaders across the province and I have been taking that opportunity to find better ways to reflect the views of the municipal people. This is reflected in some of the legislation we have brought in already and some of the studies which are now under way.

I just want to refer to some of the concerns that were raised. One was the sewer-use infractions, which the member for Beaches-Woodbine (Ms.



Bryden) in particular referred to. The present maximum fine for contravening a municipal bylaw, including the sewer-use bylaw, is \$2,000. Bill 59 proposes to raise the maximum fine levy very substantially. In the case of an individual, the new maximum fine will be \$5,000 for a first offence and \$10,000 for subsequent offences. In the case of a corporation, the new maximum fine will be \$25,000 for a first offence and \$50,000 for subsequent offences.

We have looked at this issue very carefully, and I believe the new fines will be sufficient. However, I want to say to the honourable members that once the legislation is enacted, we will be monitoring the situation very carefully and will be prepared to review the adequacy of the maximum fine levels once again if there are problems that might arise from time to time.

With regard to the question of clerical errors, I fully recognize the concerns for a more comprehensive legislative package which addresses errors that go beyond the preparation of the assessment roll. I therefore established a working group consisting of representatives from the concerned municipal associations, the Assessment Review Board and the ministries of Revenue and Municipal Affairs to review all the tax refund adjustment provisions that are contained in the Municipal Act.

The tax refund provision in Bill 59 addresses a particular problem which, in principle, many municipal associations, municipalities and rate-payers agree needs to be resolved by legislation now. In the longer term, the working group I have established will develop comprehensive proposals to revise all the tax refund adjustment provisions in the Municipal Act.

The member for Simcoe West (Mr. McCague) spoke of the election of the warden on county council and the number of votes the members have. I might say that the provision to allow each member of county council to have only one vote in the election of the warden was specifically requested by the county and regions section executive committee and this request was endorsed by the AMO executive committee. If there is a better way, we would be glad to hear that, of course, but we do meet regularly with our municipal people and we take seriously the recommendations they make. That is the reason we have made that change today.

1720

With regard to the extension of the notice period which was referred to—the member for Simcoe West referred to this—it has been explained to the association that the extension of

the notice period from 14 to 21 days will allow the taxpayer more time to arrange for payment of the taxes. I think that is important. This will be closer to the 30-day payment period allowed most businesses for the payment of invoices. The change is intended to provide a more realistic time frame. It takes into account potential mail delays as well as the extra time required by some taxpayers to process their payments where they receive multiple billings, for example, as in the case of mortgage companies.

Those are some of the comments that I wanted to make in response. I just want to say in closing that I will be proposing a minor amendment to the bill to go into committee, having to do with the dates which have now passed. I would like to have that reflected and brought up to date:

Motion agreed to.

Ordered for committee of the whole House.

House in committee of the whole.

#### MUNICIPAL STATUTE LAW AMENDMENT ACT

Consideration of Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities.

**Mr. Chairman:** Are there any questions, comments or amendments, and if so, to which sections of the bill? At this moment, I just want to list them, please.

**Hon. Mr. Eakins:** Section 31.

**Mr. Chairman:** Thank you. That is all I want to know right now. Any other sections that people would like to amend? If not, shall sections 1 to 30 carry?

Sections 1 to 30, inclusive, agreed to.

Section 31:

**Mr. Chairman:** Hon. Mr. Eakins moves that section 31 of the bill be struck out and the following substituted therefor:

"31(1) This act, except sections 5, 8, 12, 13 and 16, comes into force on the day it receives royal assent.

"(2) Sections 5, 8 and 16 shall be deemed to have come into force on the first day of January 1987.

"(3) Sections 12 and 13 come into force on the first day of January 1989."

**Mr. Breagh:** I do not have any problem at all with this amendment but I do think that it is dearly time that a ministry that has this many people in its employ could inform the members of the House when it has amendments to a bill that it is bringing forward. If they cannot draft the



thing right in the first place, at least they should have the common courtesy to obey the standing orders of the House, which simply ask them to provide reasonable notice of amendments that they are proposing.

We went through a second-reading debate where the minister had ample opportunity to inform the House he was going to pose an amendment. Surely it would have been possible for someone in the ministry to make copies of the amendments he was going to propose and provide them to the table officers and to the opposition parties. I do not think that is asking too much. I am not asking for any kind of earth-shaking technology to be used here. But it seems to me, if they screw up in the drafting of a bill, it surely should not be too difficult to correct that error by means of simply letting the opposition parties know they have an amendment to put forward.

We have no objection to this amendment. The only objection I have is that it seems to me it should not be beyond the possibility of this minister to conform to the standing orders of the House, which are not particularly onerous. If I can conform to them, surely the minister, with all his staff, can.

**Hon. Mr. Eakins:** I want to apologize to the member for Oshawa (Mr. Breagh). I accept full responsibility. It was my understanding that had been done, and I do apologize for that.

Motion agreed to.

Section 31, as amended, agreed to.

Section 32 agreed to.

Bill, as amended, ordered to be reported.

On motion by Hon. Mr. Eakins, the committee of the whole reported one bill with a certain amendment.

#### PLANNING AMENDMENT ACT

Hon. Mr. Eakins moved second reading of Bill 128, An Act to amend the Planning Act, 1983.

**Hon. Mr. Eakins:** I am here today to seek second reading of Bill 128, the Planning Amendment Act.

As indicated when the bill was introduced, these amendments include changes to further this government's priority to help provide housing throughout the province. I reiterate that my ministry is committed to meeting provincial housing objectives.

I am proposing that the Planning Act now formally recognize the provision of a range of housing types as a provincial interest. This will enable my ministry, in conjunction with the

Ministry of Housing, to guide and direct our collective efforts to provide affordable housing.

Other significant changes in the bill are:

Clarifying the act to ensure that the Minister of Municipal Affairs may define a local planning matter to be of provincial interest, whether or not a formal policy statement has been issued.

I would stress that formal policy statements are intended to deal with broad policy matters such as the protection of agriculture lands and mineral resources. It is impossible to have a formal policy statement in place to deal with every conceivable issue that may affect provincial interests. I can assure the Legislature that these powers will be used with the utmost discretion.

Reducing the overall time for the zoning process. The notice provisions for a required public meeting will be reduced to 20 days from the current 30 days. Also, the appeal period, once council has passed the bylaw, will be reduced to 20 days instead of the current 35 days.

These reductions will now enable all developments, including housing, to be built more quickly, allowing upper-tier councils that now approve local official plans, to delegate their authority to a committee of council or to an appointed official to approve such local amendments. This change reflects my commitment to further local accountability as well as to speed up the planning process.

#### 1730

Deleting the reference in the act to March 19, 1973, as a cutoff date in the validation process will allow me to validate any title regardless of when the act was contravened, clarifying that the Minister of Municipal Affairs on behalf of cabinet can support in a positive manner a municipal position on a matter of provincial interest. The current wording of the act only allows cabinet to declare its position where provincial interest is affected in a negative manner. The word change would therefore allow the minister to declare a provincial interest in any situation.

All other changes in the bill are intended to improve the effectiveness of the Planning Act and do not alter its fundamental principles in any way. Our goal is to ensure efficiency in the planning process. I believe the proposed amendments will help us meet that goal.

**Mr. Breagh:** It is with a little trepidation that we support the proposed changes to the Planning Act which are here. I want to put these reservations I have up front because I think some day we may be reading this afternoon's discussion and regretting that it happened.



The Planning Act is an awkward one. It has just gone through a major revision and it was not an easy thing to do. Now we are changing it once again. Most of us who have had some experience with the Planning Act know that there are a lot of checks and balances in there. It does not work quickly. That is the one thing we could all admit about it. It has some awkwardness about it. There are a lot of people who have their fingers in the pie.

This proposed legislative change may expedite the process somewhat, and I say "may." It may not, as well. It is done in a rather curious way. I was struck, as I went through the proposed changes we are discussing this afternoon, by how many indirect and obtuse ways were used to put forward a change here. I think it not unfair to categorize these changes as being kind of a warning shot put forward by Ontario that if municipalities do not respond to a housing crisis which is apparent to us, Ontario will in some way intervene, but it is not quite clear exactly what that way will be.

The reservation I have is that I am as aware as anybody that this government has a number of rather strong friends and allies, shall I say, in the development business. Although the stated changes to the act are to expedite the process, they will have a side-effect. The side-effect will be to make someone in Ontario literally millions of dollars, because that is what the development industry is about. It can be used for good and it can be used for bad.

If it turns out that this government intends to intervene and substantially alter the planning process as we know it so its friends can make a bundle of money, there will be a whole lot of people in here who will be most unhappy. I hope that is not the purpose of it. That is certainly not the stated purpose, but that will be a byproduct of what is being done here.

If the government tries to get its own act in order, which is in part what is being proposed in this bill, so that various ministries will be able to respond somewhat faster, I condone the move. I wish the government luck. I have watched various ministries do their job on planning matters over a number of years and I must say that from the outside, it is just about as confusing as it is from the inside. The first major problem that many people have is, "Which ministry lost the plans now?" and try to identify who has them, who put them in a filing cabinet somewhere and who is supposed to have this matter under active consideration but in fact does not.

I hope the stated intention comes close to the practice, that there will now be a concerted move on all the ministries which have some say on planning matters to have their say, but get it done—do not stall and delay all these projects all the way along the line.

If I had my druthers in the changes that are being proposed here, I think I would have been much more straightforward. When the bill goes to committee I am going to move two simple amendments, because I believe this is what the government is trying to do and, for some reason, decided not to do.

I believe that what they want to do and ought to do now are essentially two simple things. I believe that under the current Planning Act they could, if they really wanted to, accomplish these things now, but I have no objection to their getting changes in the Planning Act in the manner that they have outlined.

The two changes I am looking for are very straightforward. One is to say every municipality across Ontario ought to have a minimum standard for affordable housing. An allocation of at least 25 per cent of the new houses that are built, new housing accommodation that is put on the market, ought to be for affordable housing; and then second, every official plan across Ontario ought to provide a working definition of what the government means by affordable housing in that community.

These are not easy challenges for some municipalities to meet. Some of them would look at them and say: "This is not going to be a problem, because our municipality has recognized our social responsibility for some time and we have always tried to keep a lid on housing costs in our area. We have tried to provide support for nonprofit groups, for co-op projects, for a variety of ideas on how you can meet an immediate need that is there."

Many communities are very actively working at it. Mine is perhaps a good example of a community with a long history of identifying the different ways in which you could put housing on the market in a variety of ways and where the local council has traditionally been very responsive to that notion.

If anything, for a community like mine, these two amendments would be no difficulty whatsoever. They would meet the initial requirement of a 25 per cent allocation now and would be anxious, I think, to embellish upon that, to do better than that.

Some municipalities will have a little difficulty, but I think what all of them would recognize is



that as long as the same requirement is put on every municipality in Ontario, it is at least fair; and that is, I think, as good as it gets.

As long as the same criteria are established for each development as it goes through the planning process in any community in Ontario, they will all say it is fair. They will not like it, many of them, because it will deprive them of the opportunity to maximize their profits, but as long as you face the same rules everywhere in Ontario, there is a certain amount of fairness about it. I anticipate that people will grumble a little bit, but they will accept it.

In the longer analysis of things, we really do have to get back to building some more modest, affordable type of housing accommodation in Ontario. This idea that in our community there will never be any more of the poor or the working class is ludicrous, and somehow municipalities have to work their way through that system.

It is not quite as easy as I would like it to be. I wish we could write one definition of affordable housing that we could all apply all across Ontario, but I do not think you can. I think that will have to be done community by community. For example, we are in downtown Toronto now. Most people in downtown Toronto would agree that a house that would sell for \$75,000 would be, by anybody's standards, affordable housing. In many parts of rural Ontario, what you would have done with that kind of criterion is double the cost of housing in that community. So I do not think you can do that.

If you took another tack and decided you wanted to go by income and you took the average industrial wage, that is a very meaningful term in many parts of Ontario. It certainly is in industrialized southern Ontario. If you go to rural Ontario, it may have no consequence whatsoever. It may not be the number that works.

What I am going to propose when we take this bill to committee is that we be more straightforward, that we put two simple requirements under the Planning Act, under these changes, on each of our municipalities and we allow them some flexibility, we allow them some local determination of how they would go about it. We recognize there are some that would be well above this standard right now. There are some that would have to struggle a little bit to get to that standard. There are some that would have to be a little creative in going through their definitions of what they mean by affordable housing. But they would all have to recognize that no matter where you are in Ontario, your municipality has to take

a fair share of the social obligation of the province.

I do not know of very many municipal councils that are up front about saying, "We don't want the poor to live here." But I do know they have an ingenious number of ways in which they make it very difficult for anybody to build affordable housing.

I know there are co-operative and nonprofit projects around Ontario that are treated by their local councils with a variety of responses. In some places it is a warm, "Come on in here and we will see if we can identify how you and I can work together to better serve our community." When that happens, the process works very well by itself.

#### 1740

I know of a number of communities around Ontario where the municipality, in its official plan, in its day-to-day local planning activities, is very concerned about that problem and is working very hard to take federal and provincial programs and implement them. I congratulate those communities that do that. I think that needs to be done. I know of a few that are struggling with this concept. As one who has sat through public hearings when we have had projects for nonprofit or co-operative housing or whatever the proposal was that day, I know there always seems to be somebody who wants to argue before that council that this is a great idea, "but not in my backyard."

I have been part of a council that had to kind of say: "It's in my backyard, so it will be in your backyard too. You have the same social obligation that I have. We'll be happy to address your concerns about property values." If members can find me someone anywhere in Ontario who has had his property values go down in the last year, I might reconsider my views on this; but I believe that the property value argument is one which is escalating everywhere in Ontario.

The problem really has been for all of Ontario to find ways to get it done. I know there is not a shortage of good ideas on how to provide affordable housing. I talk on a daily basis with people from all over Ontario who have the good ideas.

This government has had some difficulties getting itself on track on how to deliver that system. This government has had some initial meetings with various municipalities on the shared responsibility that they have. I congratulate the government for that. To sit down and talk to them face to face, I think, is an important first step.



I think the second step is what I am proposing here. The government now has to get specific. The basic argument that it will be able to make to them with these two amendments is that there is a basic fairness, that everyone has to accept his fair share of the responsibility for providing decent, affordable housing for people through a variety of means all across Ontario. I believe that is what the two amendments that I am going to propose will cause municipalities to do.

I am aware that this will get a different reaction in different places, but I do know this: If we put to them a basic, fair argument that these provisos will be attached now to every official plan across Ontario, that every municipality and every developer will be faced with the same set of circumstances, we will at least have a basic argument of fairness that they cannot deny.

If there are those who say, "I only want to build for the wealthy," let them say so and let us deal with that. If there are municipalities that say, "We do not want the poor within our borders," let them say so and let us deal with that. I believe the greater obligation is on the part of the provincial government to see that under its Planning Act there is a clearly set out standard for Ontario, and that means we have to get off the process of talking about good ideas and worthy ideals and get as specific as we can.

On that basis, I accept that these are changes which will be an attempt to resolve a very serious housing problem that extends from one end of Ontario to the other. The government needs to get as specific as it can, and the time to do that is now. I realize it may be true that the minister did not want to do that at this particular moment. He wanted to fire the warning shot first and later on prescribe by some regulation or intervene under the new provisions of the act to do precisely that. I am simply saying that is really not the way to go. The way to go is to be straightforward, to say exactly what he means, to say it now, to put it in the provisions of the act now and give the municipalities the time to carry out their responsibilities.

I think the minister will find that municipalities will accept that challenge. They will carry that out, they will put those provisions in their planning acts and they will get on about the business of seeing that there is decent, affordable housing for Canadians of all income levels all across Ontario. I think that is what this act ought to be about.

**Mr. Cousens:** The member for Oshawa (Mr. Breaugh) suggests there be some definition of what affordability is. He has made an amend-

ment here and tabled it in a very proper way so that we are apprised before it would be raised in committee. I appreciate that kind of advance notice of the thinking of the honourable member, but the one thing he raised in his speech which is still left a question, as far as I am concerned, is what his definition of affordable is. There are two kinds of affordability: affordable purchase and affordable rental. Maybe he could just enlighten us on what his definitions are.

**Mr. Breaugh:** If I were sitting, for example, on the Oshawa city council or the council of the region of Durham, my problem is by and large resolved. We are basically an industrialized area. In that community we could take, for example, the average industrial wage and peg a percentage of that and say that is what we mean, that people at that income level would qualify for housing at this price or rental accommodation at this price.

In many of our communities, this is not going to be a difficult exercise at all. Where I would suspect there will be a little more of a problem is in rural Ontario where there is not a ready indicator of that kind.

In the city of Toronto, I think they can identify that there is no real problem with luxury condominium accommodation any more. They have all of it that they can stand. Their problem is at the other end of the income scale. They are having real problems accommodating the homeless in any sense at all, and it is rapidly becoming the case that there is very little to be found for accommodation for the poor.

The definition that would be useful in the city of Toronto's official plan may be a little different from what would be found in the city of Oshawa's official plan. I think the only people who can really help us at all in this matter will be people who are based in those municipalities who are charged with the responsibility of doing exactly this kind of thing in the official plan in a dozen different ways.

That is why I am proposing in the amendment that that particular definition of affordable housing be done at the local level, in their own official plan where they will use a public hearing process to come to those definitions. I think that is the one thing you could not do on a province-wide basis.

I put forward the amendment in precisely that way because, to my mind, that is the only sensible, practical solution to what some people would like to have as a theoretical problem: what do you mean by affordable? In our local communities, we know exactly what that means and that is where that definition should be struck.



**Mr. Cousens:** We are dealing with quite an important bill that will affect every municipality and therefore every resident within a municipality. In the minister's first presentation of this bill on May 4 or so, he said, "We are preparing municipal planning guidelines to help municipalities plan for affordable housing." He goes on to say, "These guidelines are about residential intensification and meeting the goal of 25 per cent affordable housing in every community."

There is nothing within the bill that really leads to that 25 per cent. That is why the honourable member for Oshawa has come forward with his NDP motions which suggest that we put into the legislation that 25 per cent number, which is a number that has been used by the Minister of Housing (Ms. Hošek) when she is talking about her great expectations to promote more affordable housing across Ontario.

It is a worthy goal. We want more affordable housing and indeed we have to work towards it, but I suggest that when the minister tabled this bill for first reading, he did not give the correct interpretation as to what the bill really would accomplish if it were ever passed.

I table that because that came as part of the bill when he brought it out. Here it was, as if it were a proclamation for the Minister of Housing, a very positive statement that we are doing something. Yet, as I hope to point out very shortly, there is not all that much, especially in the very early parts of the bill, that will have much of an impact on housing.

The first thing that happens in the bill—I get a chuckle out of this and I hope the minister does not mind some humour in this very important business we are about. The Speaker will know that the definition is being changed in this bill, cleaning up some of the—

1750

**Hon. Mr. Kerrio:** You've got to have a little humour.

**Mr. Cousens:** He has a sense of humour. He would not have been here as long as he has been if he did not have a good sense of humour. Sitting beside the Minister of Natural Resources (Mr. Kerrio), he would have to have one.

One of the things that is happening in this bill is that the bill is changing the responsibility for the Planning Act, taking it away from what was once the Ministry of Municipal Affairs and Housing. Now we are not going to let Housing have it. There is a minister who is responsible for municipal affairs. I am trying to give him a plug here. To me, I would be just as glad if this

minister took over the Housing portfolio, for the job that is being done under Housing now.

I think of the way he whipped them into shape with Bill 106, Bill 76 and some of those other bills. When the member for Victoria-Haliburton (Mr. Eakins) comes marching through that Ministry of Municipal Affairs, they start to jump and they say: "Well, at least he has been there. He knows what it is all about. He understands what the municipalities are thinking."

He does not always do it, mind you, and that is another issue that I want to go after him on, but the fact is that I would be willing to anoint the Minister of Municipal Affairs (Mr. Eakins) as minister of municipal affairs and housing. I could only do it as an anointer because I am in no position to do it legislatively, but in my old priestly role I could come along and we could make him in some way—

**Mr. Speaker:** The member might be straying somewhat.

**Mr. Cousens:** I am not in the least, Mr. Speaker, because I am dealing with section 1, and the last thing you want me to do is to start straying after just talking about that.

I think the fact of the matter is that we will accept there is not much we can do. He is only Minister of Municipal Affairs and there is another Minister of Housing. We have great problems with the way the portfolio of Housing is being handled and it does not make all that much sense. If there is still time that we can turn the clock back to the days of the Claude Bennett, who was Minister of Municipal Affairs and Housing, then we might be in a position to start seeing something of the relationship that really causes people to want to work together.

That is something that is lacking now, in that there is not that spirit that exists between the developers, the government, the tenants and the municipalities. There has to be a team spirit where we are all part of the solution, not part of the problem, and where the ministry is giving leadership in creating a spirit of working things out together, a spirit of reconciliation, a spirit of saying, "Hey, we've got a job to do and we're going to do it together."

I happen to believe that spirit is largely gone. We are seeing instead a government that operates with its public pronouncements and its public statements, but the acts and the follow-through do not begin to touch upon the real urgent needs of those communities.

That is why I started off and referred to the opening speech by the Minister of Municipal Affairs. When he said he was doing something



for housing, it was like a plug for the Minister of Housing. Well, she needs more than a plug to put something in the dike to keep it from leaking and needs more than just him to help out. There has to be a whole concerted strategy from this government that is not in place yet to tell the people of this province what this government is going to do for housing.

It was something that was promised by the Premier (Mr. Peterson) back a year and a half ago. It was promised two years ago in fact, when Bill 111 was brought in.

Why can we not have that kind of a statement? If the Minister of Municipal Affairs were going to be the Minister of Housing, I would have some satisfaction we would begin to see that.

We lead into the fact that what the minister is doing in this bill is bringing in a new emphasis. What he is doing is saying that one of the key areas, one of the 10 areas—there are only nine now—of the act that identifies matters of provincial interest—He has brought in an amendment within this very large bill that is somewhat innocuous when people look at it and say, “Oh, well, there are more words.” They have brought in an amendment under the bill that proposes to add housing as one of the 10 areas of interest, instead of the nine that were there before. It is putting housing into that grouping.

If you look at what we have in this bill and you have the nine other areas, and the first one has to do with the Ministry of Natural Resources—I am honoured that the Minister for Natural Resources is here and is at least paying attention again. If there is anyone who is honourable, it is the Minister of Natural Resources.

[Applause]

**Mr. Cousens:** He did not deserve it, but the fact is, when the Minister of Natural Resources made the announcement for the Lady Evelyn park, I wonder, to what extent was there any consultation, discussion, dialogue or whatever with the Ministry of Municipal Affairs?

The minister indicates that there was, and I am pleased. A lot of opposition is coming to people about the minister's changes at Temagami, and his parks policy somehow makes people think there is not the dialogue going on that there should be.

When you look at this bill under the Planning Act, there is supposed to be a very close interrelationship and dialogue between the Ministry of Natural Resources and the Ministry of Municipal Affairs, where it says, “the protection of the natural environment, including the agricultural resource base of the province, and the

management of natural resources.” These are one of the areas of responsibility that fall under the Ministry of Municipal Affairs.

The words are here, but the fact is that people are concerned about the way Lady Evelyn-Smoothwater Provincial Park has been brought in, with a lack of concern about those who have made a living there, about those who are interested in wildlife and about those who want continuing access to the park. There are a number of things on which there has been no dialogue by that minister.

Number two, of the now to be 10, is “the protection of features of significant natural, architectural, historical and archaeological interest.” I do not think there is any doubt we are pleased that the ministry has had a statement on aggregates. That has certainly allowed that industry to proceed and to continue to handle itself; it might come under clause 2(a) of the Planning Act, but it probably comes under clause 2(b). What we are talking about here is that there has been an articulated, clearly enunciated statement as to what can be done in regard to the way that clause of the Planning Act is to be interpreted.

The third point under the Planning Act is “the supply, efficient use and conservation of energy.” Can I just ask, what has the minister or this government done in the conservation of energy? Has there been any significant statement or progress in this regard? The fact is, they come along and it is words, but we are not seeing it. There is no clarification on Darlington. What we are seeing is vacuums within vacuums. I am not trying to give a plug for Electrolux; I am trying to say that over there they do more sucking than they do blowing and they do both at the same time, and sometimes it does not make any sense, just as I did not right now.

**Hon. Mr. Conway:** Reverend, that's most unbecoming.

**Mr. Cousens:** I am sorry. I take that back. The last person I would want to say that of is the House leader for the Liberal Party, who has a big problem coming up tomorrow.

Next is “the provision of major communication, servicing and transportation facilities.” What has this government done on communication, servicing and transportation facilities? Is it involved in or with that?

What I am trying to say is that there are a number of issues, and now what they are doing is adding a 10th that says the provision of a range of housing types becomes a matter of interest and concern to the Ministry of Municipal Affairs.

Why is there not a clearly defined policy statement around that subject?

**Hon. Mr. Eakins:** There will be one.

**Mr. Cousens:** Why not have it now? It is another one of those promises, and I am not prepared to sit back and believe, just because someone says it is going to come, that it is going to be there in time for the next election or in time for municipalities that are dealing with these issues to really know where the province is coming from. I think that if the amendment the New Democratic Party has put forward passes, that clearly tells us what their intention is for affordable housing. Is that where the minister is coming from?

That is the kind of thing the minister said in his opening statement when there was first reading of this bill. Is he really saying that 25 per cent of all new housing in those communities should be affordable? That is what he said. The NDP has put it into words. Is that what he is going to support? Why is there not a clearly defined statement of what the minister's principles and policies are and what the minister really believes housing to be? And if it really is important, why is it that it is number 10? Why is it not up there as number one?

If there is any one thing that is a major concern to the people in the province today—we have got problems in Ontario, and we all know that individuals have to help themselves as best they can to solve them and if there is going to be a priority by this government, it should be housing. I am not saying that just because I am the Housing critic for the Progressive Conservative Party; it is because it is the number one social crisis in the city of Toronto and in our urban areas. It is the number one issue that this government has to tackle and has failed to tackle. It is the number one issue that we have all got to grapple with, not just as a partisan issue for one party but all parties, to realize that housing is a major concern for everybody in this province.

On motion by Mr. Cousens, the debate was adjourned.

The Honourable the Lieutenant Governor of Ontario entered the chamber of the Legislative Assembly and took his seat upon the throne.

1800

## ROYAL ASSENT

**Hon. Mr. Alexander:** Pray be seated.

**Mr. Speaker:** May it please Your Honour, the Legislative Assembly of the province has, at its present sittings thereof, passed certain bills to which, in the name of and on behalf of the said Legislative Assembly, I respectfully request Your Honour's assent.

**Clerk Assistant:** The following are the titles of the bills to which Your Honour's assent is prayed:

Bill 98, An Act to amend the Public Transportation and Highway Improvement Act;

Bill 116, An Act respecting the Northern Ontario Heritage Fund;

Project de loi 116, Loi concernant le Fonds du patrimoine du Nord de l'Ontario;

Bill 117, An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund;

Bill 125, An Act to amend the Education Act and certain other Acts related to Education.

**Clerk of the House:** In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these bills.

Au nom de Sa Majesté, Son Honneur le lieutenant-gouverneur sanctionne des projets de loi.

**Mr. Speaker:** May it please Your Honour, we, Her Majesty's most dutiful and faithful subjects of the Legislative Assembly of the province of Ontario in session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to Her Majesty's person and government, and humbly beg to present for Your Honour's acceptance, a bill entitled An Act granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending March 31, 1988.

**Clerk of the House:** His Honour the Lieutenant Governor doth thank Her Majesty's dutiful and loyal subjects, accept their benevolence and assent to this bill in Her Majesty's name.

His Honour the Lieutenant Governor was pleased to retire from the chamber.

The House adjourned at 6:08 p.m.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breagh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cunningham, Dianne E. (London North PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaître, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
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 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
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 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)

Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)

**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)

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 the Committees of the Whole House (Prescott  
 and Russell L)

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Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)

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 Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)

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**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

### EXECUTIVE COUNCIL

Peterson, Hon. David R., Premier and President  
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 mental Affairs

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 urer of Ontario and Minister of Economics  
 and Minister of Financial Institutions

Conway, Hon. Sean G., Minister of Mines

Bradley, Hon. James J., Minister of the Environ-  
 ment

Scott, Hon. Ian G., Attorney General

Riddell, Hon. Jack, Minister of Agriculture and  
 Food

Eakins, Hon. John F., Minister of Municipal  
 Affairs

Kerrio, Hon. Vincent G., Minister of Natural  
 Resources

O'Neil, Hon. Hugh P., Minister of Tourism and  
 Recreation

Sweeney, Hon. John, Minister of Community  
 and Social Services

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 ment

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Sorbara, Hon. Gregory S., Minister of Labour  
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 Fontaine, Hon. René, Minister of Northern Development  
 Ramsay, Hon. David, Minister of Correctional Services  
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 Phillips, Hon. Gerry, Minister of Citizenship  
 Wong, Hon. Robert C., Minister of Energy  
 Mancini, Hon. Remo, Minister without Portfolio  
 Wilson, Hon. Mavis, Minister without Portfolio

### PARLIAMENTARY ASSISTANTS

Bossy, Maurice L.: assistant to the Minister of Housing (Chatham-Kent L)  
 Campbell, Sterling: assistant to the Minister of Mines (Sudbury L)  
 Chiarelli, Robert: assistant to the Chairman of the Management Board of Cabinet (Ottawa West L)  
 Collins, Shirley (Ms.): assistant to the Minister of Labour (Wentworth East L)  
 Cordiano, Joseph: assistant to the Minister of Intergovernmental Affairs (Lawrence L)  
 Ferraro, Rick E.: assistant to the Minister of Industry, Trade and Technology (Guelph L)  
 Haggerty, Ray: assistant to the Minister of Consumer and Commercial Relations (Niagara South L)  
 Hart, Christine E. (Ms.): assistant to the Minister of the Environment (York East L)  
 Henderson, D. James: assistant to the Minister of Colleges and Universities (Etobicoke-Humber L)  
 Kanter, Ron: assistant to the Solicitor General (St. Andrew-St. Patrick L)  
 Keyes, Kenneth A.: assistant to the Minister of Health (Kingston and The Islands L)  
 Kozyra, Taras B.: assistant to the Minister of Northern Development (Port Arthur L)  
 Lupusella, Tony: assistant to the Minister of Transportation (Dovercourt L)  
 McGuigan, James F.: assistant to the Minister of Natural Resources (Essex-Kent L)  
 Miller, Gordon I.: assistant to the Minister of Agriculture and Food (Norfolk L)  
 Morin, Gilles E.: assistant to the Minister of Community and Social Services (Carleton East L)  
 Neumann, David E.: assistant to the Minister of Municipal Affairs (Brantford L)  
 Nixon, J. Bradford: assistant to the Minister of Financial Institutions (York Mills L)  
 Offer, Steven: assistant to the Attorney General (Mississauga North L)  
 O'Neill, Yvonne (Mrs.): assistant to the Minister of Education (Ottawa-Rideau L)  
 Pelissero, Harry E.: assistant to the Minister of Tourism and Recreation (Lincoln L)  
 Polsinelli, Claudio: assistant to the Minister of Treasury and Economics (Yorkview L)  
 Ruprecht, Tony: assistant to the Minister of Citizenship (Parkdale L)

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Finance and economic affairs: chairman, Mr. D. R. Cooke; vice-chairman, Mr. Ferraro; members, Messrs. Haggerty, Kozyra, Mackenzie, McCague, Morin-Strom, Neumann, J. B. Nixon, Pelissero and Villeneuve; clerk, Franco Carrozza.

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Ombudsman: chairman, Miss Nicholas; vice-chairman, Mr. Elliot; members, Messrs. Bossy, Carrothers, Charlton, Elliot, Henderson, Lupusella, MacDonald, McLean, Miss Nicholas, Messrs. Philip and Pollock; clerk, Todd Decker.

Public accounts: chairman, Mr. Philip; vice-chairman, Mr. Pouliot; members, Messrs. Ballinger, Carrothers, Dietsch, Mrs. Fawcett, Miss Martel, Messrs. Offer, Pope, Runciman and Smith; clerk, Douglas Arnott.

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lock, Pouliot, Ruprecht, Smith, Sola and Swart; clerk, Tannis Manikel.

Resources development: chairman, Mr. Laughren; vice-chairman, Mr. Wildman; members, Mr. Brown, Ms. Collins, Mrs. Grier, Mr. Leone, Mrs. Marland, Messrs. McGuigan, Miclash, Miller and Wiseman; clerk, Todd Decker.

Social development: chairman, Mr. Adams; vice-chairman, Mrs. LeBourdais; members, Messrs. Allen, Campbell, Cousens, Jackson, R. F. Johnston, McClelland, McGuinty, Mrs. O'Neill and Mr. Tatham; clerk, Franco Carrozza.

### SELECT COMMITTEES

Constitutional reform: chairman, Mr. Beer; vice-chairman, Miss Roberts; members, Messrs. Allen, Breaugh, Cordiano, Elliot, Eves, Mrs.

Fawcett, Messrs. Harris, Morin and Offer; clerk, Deborah Deller.

Education: chairman, Ms. Poole; vice-chairman, Mr. Reycraft; members, Messrs. D. S. Cooke, Furlong, Jackson, R. F. Johnston, Keyes, Mahoney, Miclash, Mrs. O'Neill and Mr. Villeneuve; clerk, Lynn Mellor.

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\*The alphabetical list of members appears in each issue. The other lists, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**

Thursday, June 2, 1988



Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, June 2, 1988

The House met at 10 a.m.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### CROP USES

Mr. Villeneuve moved resolution 33:

That, in the opinion of this House, the Minister of Agriculture and Food should play an increased role in promoting and developing new crop uses, particularly the use of grain corn for ethanol-methanol gasoline, for the production of calcium magnesium acetate, and in promoting the increased use of biodegradable bags, and that to further these aims, the Minister of Agriculture and Food should be more active in promoting these alternate uses to the Minister of the Environment, the Minister of Energy, the Minister of Transportation, the Minister of Industry, Trade and Technology and the Minister of Municipal Affairs.

**The Deputy Speaker:** Mr. Villeneuve has moved the resolution standing in his name. Le député a jusqu'à 20 minutes pour faire sa présentation. Il peut en réserver une partie pour la fin. Le député de Stormont, Dundas et Glengarry.

**Mr. Villeneuve:** It is with particular pleasure that I rise today on this my private members' resolution. First, I believe that it is a timely one in terms of both the environmental approach to the issue and the agricultural aspect. Timing also seems to be of some significance because of coincidence. Today's other motion deals in considerable detail with degradable plastics, one product in which corn can quite easily be utilized, and I compliment my colleague who is also bringing in a very similar resolution from the Liberal Party.

Timing is also important for another reason. The federal government has announced that lead is to be removed from gas by 1992. Further, even the unleaded gas we use contains a manganese compound—MMT, methylcyclopentadienyl manganese tricarbonyl—which is already banned in the United States and parts of Europe because of its high exhaust pollution emissions. What this means is that we should not feel too self-righteous in the knowledge that we

will be banning leaded gas. As a province, we should be looking towards the alternative octane enhancer to both lead and MMT.

The large oil companies are reluctant to act in this area. They are protecting their own domain and that is understandable, especially when there is a chance that up to 10 per cent of gasoline consumption could be replaced by alcohol. The oil companies would rather see chemical substances such as MTBE, methyl tertiary-butyl ether, be used to mix with gas.

The proposal that I would like to see in this province endorsed and supported by the government is for a blend of 92 per cent gasoline, five per cent methanol and three per cent ethanol to be used in our motor vehicles in the near future. Not only would this cut down on light crude consumption which Canada imports, but also it would aid western Canada in methanol production as well as western grain producers and Ontario's presently very depressed corn producers in reducing surplus stock of substandard—and I underline substandard—grains. We can create alcohol with inferior grains. Even Quebec is expected to be a surplus producer of grains within 10 years, a development which would benefit an eastern Ontario ethanol facility.

But all this can only happen if Ontario takes the initiative now so that facilities are ready long before January 1993, in order to take advantage of this changing standard. This can only happen if cabinet ministers, basically those named in my resolution, co-operate to a much greater degree than they have to date. I want to illustrate with one particular example.

Earlier this year, on February 8 to be exact, the Minister of Transportation (Mr. Fulton) was asked at the Rural Ontario Municipal Association convention, more commonly known as the ROMA convention, about a substance called CMA, calcium magnesium acetate, which is a potential replacement for road salt.

For those who are aware of it, the Ministry of Transportation has been examining CMA since 1983. A 1984 report mentioned the following about producing CMA: "Grain corn was identified as the most favourable biomass feedstock in view of the tonnage projected to be required in



large-scale use." That is the end of quote from a report which was prepared in 1984.

For its testing, the ministry has been buying chemically produced CMA at a higher price than the corn biomass system would cost: a much higher price I must say. Yet when asked, the minister was completely unaware that CMA could indeed be produced from corn. The minister was also completely unaware that his cost estimates were for a more expensive version of CMA derived from other sources than corn.

The Minister of Agriculture and Food (Mr. Riddell) was also present at the ROMA convention and he could have easily informed his colleague of the potential that corn has in producing CMA. It certainly would have been easy to inform the Minister of Transportation in the intervening 24 hours before I asked my question in the House, but that did not happen. I wonder about communications within cabinet.

When one considers the terribly depressed prices that Ontario's grain growers have faced in the world marketplace recently, it would have made some sense for the province to examine ways of using up our domestic surplus production.

With ethanol the situation is just as obvious and I would like to deal with ethanol in some greater detail. The idea of using alcohol in fuel and indeed for fuel is not a new one. In fact, jurisdictions such as the United States and Brazil are far ahead of us and provide us with a few ideas on how we should approach alcohol fuels here in Canada and particularly in Ontario.

Support for an ethanol plant was part of the Liberal Party campaign platform in 1985. It seems like ages ago and is totally forgotten. Fuel alcohol was also a prime promise made by one David Peterson, when he was campaigning for the Liberal leadership way back in 1981. The Liberals were even talking about replacing gas entirely with wood alcohol from northern Ontario, and I am sure members in this Legislature will recall those promises, long since forgotten by the government.

The idea has not been costed out and, of course, did not make technical sense either then or now, given the effects of burning pure alcohol in existing automobile engines. The problems of producing different engines would have cost enormously in the production of motor vehicles. But since 1981, we have accumulated much more information, and circumstances have also changed.

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Fuel alcohol first became popular as a result of greatly increasing oil prices in the 1970s. That crisis led to a number of reactions, such as the Liberal Party's suggestion to convert our forests into automobile-fuel wood alcohol. I would point out, however, that while trees are indeed a renewable resource, it takes much less time to grow an acre of corn when compared to growing trees. In recent years, of course, the price of oil has dropped, but there are now two newer factors, and I will touch on them.

First is the existence of grain surpluses, particularly that of corn where Ontario is concerned. Members should know that Ontario grows about 70 per cent of the total production of corn in Canada and, as a result, the problems faced by corn producers are really and strictly an Ontario issue. The surpluses have led to poor prices, to the extent that earnings increases for Ontario's cash crop farmers in the past two years have been largely due to federal support via the special grains programs and other subsidies.

The second factor—and I emphasize this one—is that of the environment, which is of great concern to everyone. To the public, especially in urban centres where the problem is most apparent and acute, the environment is one of the most important issues of the day and one which alcohol fuel additives can help to address to a great degree and to correct.

Currently, our gas-burning engines use fuel with either lead or MMT as the octane enhancers. As I have already mentioned, lead is to be banned by 1993 in Canada. But the manganese in MMT, which is also an octane enhancer, is very much a pollutant, and it would be to our advantage to ban that as well. Alcohols are able to replace both lead and MMT as octane enhancers and to reduce harmful emissions.

There are essentially two types of alcohol that can be used, ethanol and methanol. Ethanol is the more expensive of the two, while methanol cannot exist in a mix with gas without the presence of a co-solvent such as ethanol. These two facts have resulted in two different formulas for Canadian gasohol. One is a blend of 90 per cent gas and 10 per cent ethanol, and the other is, as I already mentioned, 92 per cent gasoline, five per cent methanol and three per cent ethanol.

The United States has, for a number of years, witnessed the production of 90 per cent gas and 10 per cent ethanol fuel, supported by generous state and federal subsidies. For example, the US federal tax exemption is 16 cents US per litre. The 1986 report from the standing committee on energy, mines and resources recommended the



use of ethanol-methanol or EM gas, but rejected the idea of the US-type subsidies, and I agree with that. This question of subsidy should be examined further, because the Ontario situation cannot be compared to the American.

First, the after-tax gas price in the US is considerably less than that here in Ontario. As a result, more expensive production costs for ethanol require subsidies to reduce the cost to consumers. Taxes here now, since the most recent Ontario budget, have driven up the final price of gas to surpass the plant-gate cost of ethanol. That is important. As a result, no substantial subsidies would be necessary if minimal provincial and federal tax breaks were available initially to set up the plants.

The plant-gate costs for unleaded gas are about 22 cents per litre; for ethanol, they are 40 cents per litre, and for methanol, they are 14 cents per litre. Any price increase to consumers could easily be negated by adjustments to taxes on fuel alcohol, while losses to the Treasury would be offset by taxes generated from new employment created by an improvement in our trade balance and, of course, always greatly reducing the exhaust pollution in the process.

It is obvious that the EM mixture is the most cost-effective, as the ethanol content, the most expensive of the components, is only three per cent. It should be pointed out, however, that E10, the name used by Mohawk Oil for its blend of 90 per cent gas and 10 per cent ethanol, has been selling for a number of years. Mohawk Oil has a commercial fuel ethanol distillery in Manitoba producing 7.2 million litres per year, derived primarily from corn but also from barley and oats, as well as from other substandard or fire-damaged grains.

Always remember that this alcohol will be used in the gas tank of your car and not in the glass.

To date, some 1.5 billion miles have been travelled on Mohawk's E10 fuel. It is estimated that E10 fuel requires tax breaks of one to two cents a litre to maintain a price parity. This already exists in Manitoba, where there is a two-cent-per-litre tax break. Mohawk Oil also sells EM gas in western Canada, where Alberta provides a tax break of 0.04 cents a litre; Saskatchewan, of 1.2 cents a litre, and British Columbia of 0.6 cents per litre.

EM gas is available in Ontario from the United Co-operatives of Ontario stations in Guelph and Listowel. Ontario does not tax ethanol or methanol, equating to a tax break of 0.64 cents per litre and making ethanol-methanol gas very

competitive. I should also mention that I have visited the UCO station just outside of Guelph and have seen the widespread acceptance of the EM gas blend.

It is popular among those with environmental concerns—and that includes all of us—and it is also popular among farmers who stand to have an increased use of some of their own production. You should always remember that farmers on the national basis use from 12 per cent to 15 per cent of the fuel consumption here in Canada.

By supporting EM gas, we are not talking about getting the province into any form of ongoing subsidy program, and I emphasize that. I think, however, that the province's promotion of EM gas does provide the opportunity for capital assistance without much alteration to existing programs. I believe the government can accomplish this if the Minister of Agriculture and Food shows some effectiveness and some initiative in lobbying his cabinet colleagues.

The Minister of the Environment (Mr. Bradley) and the Minister of Industry, Trade and Technology (Mr. Kwinter) should be made aware of the importance of acting and acting soon in this area. At current prices, an economically-sized ethanol production plant would cost some \$20 million. Assisting with a capital grant of such a size is certainly within the province's capacity. It would even be less than much of the assistance that the province has provided to the auto industry and recently to the Goodyear tire industry, just to name a couple.

The other area where we could look at providing assistance on a one-time basis is in assisting retail service stations with retrofitting costs to handle the new blend. That would cost in each and every individual service-station case from a minimum of \$500 to a maximum of \$1,500 per service station—not an alarming sum. The total investment, therefore, for creating an entirely new provincial industry would not be excessive, while greatly reducing exhaust pollution.

Just as with the auto plants, new jobs will be created. If all Ontario were to utilize EM gas—which is maybe wishful thinking—using Ontario ethanol, thousands of jobs would be created. Statistics Canada's model shows at least 5,000 jobs would be created in Ontario, not saying that it would strengthen some very weak grain markets at present. Initially, we certainly cannot hope to get a 100 per cent EM gas usage. But even at 20 per cent ethanol-methanol blend usage, it would result in over 1,000 jobs being created while reducing pollution. This is certain-



ly substantial, and it is a start in the right direction.

There are a number of locations in Ontario that would be suitable, many of them in high-unemployment areas. An ideal site would have good facilities for receiving corn, a heat-energy supply, water and access to transportation facilities to ship the ethanol to fuel refiners and blenders and, of course, the byproducts which could certainly be used in the feeding of livestock.

Possible locations include the Bruce, Sarnia and Chatham areas and, of course, Prescott, which happens to be in my riding, where the Elders Co. has very recently taken over the elevator at Prescott in Edwardsburgh township right on the seaway with existing rail facilities and along Highway 401.

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I should also mention that a byproduct of ethanol distillation from corn is a high-fibre protein substance called DDGS, distillers' dried grains and solubles, and is in high demand for animal feed here in Canada as well as in Europe.

I could go on for an hour, but I would like to reserve the time left to answer my colleagues who will be addressing this private member's motion.

**Mr. Miller:** It gives me great pleasure to rise and speak on ballot item 27 brought in by the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) concerning the promotion and development of new crop uses in Ontario's agriculture and food sector.

First of all, I would like to recognize the Ontario corn producers who are present. There is Cliff Leach who is sitting in the gallery this morning. He just happened to be coming along at the right time to hear the debate on this resolution. There are Terry Daynard, executive vice-president, along with members of the association, and Gordon McNern, who is vice-president of business development for grains, St. Lawrence Starch Co., which is one of the manufacturers of ethanol at the present time, perhaps the only one in Ontario. Also there is a representative of Ontario co-operative, Glen Perchbacher. It is fitting that these people are here this morning to hear the debate.

As the third party's critic for Agriculture and Food—I am referring to the member for Stormont, Dundas and Glengarry—the member's input is highly valued on this side of the House. We appreciate the diligence with which he performs his duties as an opposition critic.

The resolution introduced by the honourable member contains three examples of specific ways in which he would like to see the development of new crop uses take place, and I would like to address these examples individually.

The first is the use of grain corn for ethanol-methanol gasoline. As I am sure the honourable members are aware, ethanol can be produced using cereal grains or corn and it can be made out of many other products such as potatoes, and even straw. It is not only corn that can be used to make it; it can be made out of many other materials. It is used as an octane enhancer in gasoline to reduce the lead content in the fuel.

Agricultural groups consider ethanol to be a potential alternative use of agricultural commodities in Canada. Specifically in Ontario, the greatest benefit would be realized by the corn producers. We all know that for a farmer corn prices have been at depression prices over the past several years.

Many private companies have indicated an interest in building an ethanol plant in Ontario. The proposals have been evaluated by the Ontario Ministry of Agriculture and Food, the Ministry of Energy and the Ministry of Treasury and Economics.

The fuel ethanol market is not yet well established in Ontario, and although St. Lawrence Starch has two ethanol-methanol-fuelled automobiles on the road at the present time, the industry is still in the experimental stages of market development. Therefore, full-scale government involvement in the fuel ethanol industry is somewhat premature.

The public costs of establishing a fuel ethanol industry in Ontario, as projected by the proposals received, are perceived to be prohibitively high. I think that is the input cost versus the return. Distillers' grain, a byproduct of the fuel-ethanol production process, can be used in feed rations and this product competes directly with soybeans and hay and other sources of feed that would be displaced by distillers' grain.

**Mr. Villeneuve:** Imported soybeans.

**Mr. Miller:** I think we are almost on a balance on the soybeans and we can produce more. I think this year is going to be a good example for the honourable member.

The price of corn could be expected to rise slightly and this would impact negatively on corn users. I think you have to take all the factors; we certainly want to get an increase but it has to also be competitive.



The Ontario government has a road tax exemption for ethanol and methanol used as gasoline additives in Ontario. This initiative has recently been adopted by the government of Alberta and is under consideration by the federal government as well. I think our federal friends do have a role to play in assisting, if we want to get this product in use.

When all the above factors are taken into consideration, including the impact on other agricultural products, the public cost of capital assistance in plant construction and the cost of production subsidies and tax exemptions, balanced against the as yet unproven marketability of fuel ethanol, it makes sense that prudent, careful management of this potential alternative use of Ontario corn is the best course of action.

Although the potential of fuel ethanol appears promising, more work needs to be done by the industries concerned before large expenditures of public money can be allocated. We believe that industry should be encouraged to take the initiative to research and develop new technologies, and I think that is what St. Lawrence Starch is doing. I think there has to be co-operation with not only St. Lawrence Starch, but also our oil refineries because there is where one of the problems lies, to get the oil refineries to get the mix. I think Petro-Canada, one of our own companies, is not too co-operative along those lines. That is another federal problem.

We believe industries should be encouraged to take the initiative to research and develop these new technologies.

The second suggestion for a new crop use in the resolution is the promotion and development of calcium-magnesium acetate. This product, also corn-based, is being tested as a replacement for road salt. There are several advantages of this product over road salt. For example, it does not rust automobiles and is less harmful to the environment. The Ontario Ministry of Transportation is conducting research on this product now, but the production costs are still out of line for full commercial use on highways in Ontario.

The third proposal of the member for Stormont, Dundas and Glengarry is with respect to biodegradable plastic bags. The Ontario Ministry of Agriculture and Food is aware of the potential of this product developed from a starch derivative, again based on corn. I understand St. Lawrence Starch has developed a biodegradable carry-out shopping bag and it is to be commended for its work in this area. Indeed, I met with representatives of this company two weeks

ago to discuss this specific new product initiative, as well as the ongoing ethanol efforts.

Further research is needed before biodegradable garbage bags are commercially produced and various companies are now experimenting with different levels of cornstarch in the plastic to obtain the desired strength. We are optimistic that the impact of this product on the waste management industry could be enormous.

Finally, I would like to again voice my appreciation to the honourable member for drawing the attention of the House to these three potential nonfood uses of grain corn. I might add that sugar is another product that can be produced from corn and there is a tremendous market for that too, but we are still having to compete with other sugars being dumped into Canada, a free trade issue, which is really destroying the industry.

I wish to assure him that members on this side of the House are concerned as well and are doing what we can to encourage these developments. In fact, the rural caucus of the government met as recently as this morning to discuss this very issue with the Ontario Corn Producers' Association.

The Minister of Agriculture and Food has taken a lead role in promoting and developing new uses for a variety of Ontario crops, and I would like to direct the attention of the members specifically to the Ontario crop introduction and expansion program whose purpose is to expand crop opportunities for the Ontario farmer by encouraging more co-operative research efforts between the public and private sectors.

The Ontario Minister of Agriculture and Food is in frequent contact with his cabinet colleagues to co-ordinate the government's initiatives in these areas and to facilitate interministerial co-operation where areas of jurisdictional overlap occur. I want to make that point very clear.

I would like to wind up my portion of the debate on this resolution. I guess I have a word of warning. My colleague from Kent has brought to my attention that this is the driest year on record since 1890, and it could be a disaster as far as our grain supplies are concerned, not only in North America but also affecting overall world markets. We have to be very careful that we have the food supply that is so necessary. While we seem to have mountains here, those mountains can disappear very quickly. I suppose we have to take that in perspective.

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Also, for the farming community, as our Prime Minister found out on his trip to Europe, 45 per cent of the net farm income in Canada is



from government assistance; in the European Community countries it is 49 per cent.

I suppose those things have to be considered in the overall use of corn for ethanol.

**Mr. Wildman:** I want to rise and congratulate the member for the united counties in introducing this resolution this morning. It is my pleasure to participate in the debate in favour of the resolution.

I am tempted to point out that on occasion members of this House, as well as others of the general public, have used alcohol as a fuel and it has certainly got them revved up. I do say though that—

**Mr. Villeneuve:** They spun their wheels.

**Mr. Wildman:** Yes, many of us are spinning our wheels.

Seriously though, I think it is a significant proposal to suggest that in a period of depressed markets, we should be actively, as a government in Ontario, promoting alternative uses for our food products, particularly ones that will be beneficial to the environment.

I must say I was disappointed in the comments of my good friend the member for Norfolk (Mr. Miller) who, I suppose, was not just speaking as a representative of the rural caucus of his party, but also in a way as a representative of the Ministry of Agriculture and Food this morning in this private members' debate. He seems overly cautious in his approach. To state that there is not a well-established market for ethanol-methanol fuels is to beg the question of the resolution, I submit, because the resolution is proposing that the government should be promoting these alternative uses for corn and grain products.

I think it is incumbent upon the provincial government, for the reasons of trying to improve the markets for these products, lessening our dependence on petroleum products and cleaning up the environment, to promote actively, as is proposed in the resolution, the production of these products and their use and to promote the market. That is, I think, what the member for Stormont, Dundas and Glengarry is proposing.

It has been suggested over the years that the cost could be prohibitively high and that this type of fuel alternative would not be competitive with purely petroleum fuel. I do not think that is the case, as was pointed out by my friend from the united counties. With the current end price for fuel in Ontario, that is no longer as serious a concern.

I am disturbed, though, by the member for Norfolk's suggestion that in producing these new products from corn, that might gain a market but

that might then raise the price of corn, which would adversely affect other consumers of corn. Surely we should be doing all we can to improve the price of corn with the terrible depression in the price right now. The fact is that the farmers are facing a very serious debt crisis in this province. It seems to me that we should be doing all we can to improve the price of farm products, not worrying that they might go up. I really do not understand that argument.

I do agree with my friend from Norfolk that the federal government should be involved. I am sure my friend from Stormont, Dundas and Glengarry would agree with that. I think that both levels of government should be doing all they can to promote experimentation with and development and marketing of the products. He did say that the Liberal Party was in favour of encouraging industry to develop these products. I would like to know how they want to encourage industry. I think they should be doing that: I think they should be promoting it, but I think they should also be involved in terms of helping to fund research and development in these areas.

I should point out that in some countries, methanol fuels have basically taken over the market. All you have to do is look at Brazil, for instance. Certainly, in the midwestern United States there is a significant market for mixed gasoline fuels that are using methanol products. I really think there is a potential market that should be encouraged by the government.

With regard to the other two products proposed in the resolution, I think we should be less cautious than the member for Norfolk indicated. I look at the state of Michigan, for instance, which has banned the use of road salt. The climate across the border, across the St. Marys River from my house is not significantly different than it is where I live. If the state of Michigan could ban the use of road salt, we could in fact be doing a similar thing in Ontario. I am not suggesting necessarily we need to ban it, but surely we should be looking at alternatives, particularly when you consider the environmental damage and the damage to agriculture that is done by road salt. Certainly, all consumers with automobiles would be interested in having the government do whatever would be possible to lessen the rust our automobiles face.

This may sound like a funny reason, but as a northerner I am also concerned about the number of animals, particularly moose, big game, that are killed on the highways because they are searching for salt in the summertime, the salt in the ditches. The Ministry of Natural Resources



right now is doing experiments to try to keep these large animals away from the highways because one of the reasons they are coming out on to the highway is to get the salt. Salt residues might be lessened if we could be using other products.

**Mr. Miller:** Put salt blocks out.

**Mr. Wildman:** They are putting out salt blocks. That is one of the things they are doing. They are putting salt blocks in the bush and they are also building grates along ditches to try to make it impossible for the animals to walk in the ditches, so that they will not go there.

The other suggestion was biodegradable bags, the use of cornstarch. We once did use biodegradable bags almost completely. They were called paper. It is unfortunate, frankly, that we have moved to plastics so much in our society because we have a tremendous environmental problem, particularly in southern Ontario but right across the province, with landfill.

One of the biggest difficulties we have with landfill is these plastic garbage bags that people use. A lot of the garbage that is put in those bags is indeed biodegradable. But when you put it in those bags and seal them up, they can last for ever. I think we should be attempting to protect the environment by ensuring that whatever research needs to be done into biodegradable bags that could be used for shopping bags and garbage bags will be done, rather than attempting to increase the use of plastics in our society. Plastics increase our dependence on petroleum, of course, and they are harmful to the environment. They last for ever.

I congratulate once again my friend from the united counties for introducing this resolution this morning. I realize the concern that was raised by the member for Norfolk with regard to the dry year and the fact that because of the difficulties that are being experienced, particularly in western Canada and other parts of the Prairies where grain production may be down substantially, the price may rise. But I think we should be doing all we can to try to level off the tremendous experiences we have had with peaks and valleys in prices, where we are dependent on bad weather that harms one farmer to improve the price for another group of farmers.

I do not think that is the way we should be dealing with farm marketing and pricing in the modern world. I think we should be doing all we can to develop alternative markets that will help to increase the price on a more steady plane and to ensure that farmers are able to market their products and that these products will benefit

consumers in the overall society by being ones that will lessen the cost to consumers and improve the protection of the environment.

I would hope that all members of the House will join in supporting this resolution and that if the resolution passes, as I hope it does, the government will respond and there will not just simply be another expression of opinion by the House that it is in favour of something as if it was sort of a motherhood issue and it just stays there.

I hope that if this resolution passes, the government will, in fact, take action and the Minister of Agriculture and Food, in conjunction with his cabinet colleagues, will set up a task force to determine how they will move in this area, what kinds of grants will be provided, what kinds of marketing promotion will be provided and what kind of research will be encouraged so that we can indeed develop alternative products in this way.

**1040**

**Mr. McLean:** I want to read this resolution into the record once again.

"That, in the opinion of this House, the Minister of Agriculture and Food should play an increased role in promoting and developing new crop uses, particularly the use of grain corn for ethanol-methanol gasoline, for the production of calcium-magnesium acetate, and in promoting the increased use of biodegradable bags, and that to further these aims, the Minister of Agriculture and Food should be more active in promoting these alternative uses to the Minister of the Environment, the Minister of Energy, the Minister of Transportation, the Minister of Industry, Trade and Technology and the Minister of Municipal Affairs."

I think that resolution really says it all. I am extremely pleased to have this opportunity to speak about and show my support for this resolution from my colleague the member for Stormont, Dundas and Glengarry. By supporting this resolution, the members of this Legislature will be demonstrating this province's commitment to reducing pollution, conserving our shrinking reserves of conventional light crude oil, creating employment for those required to produce ethanol and developing new uses or markets for Ontario's corn.

There are several reasons I suggest it is in the public interest to encourage the use of grain corn for ethanol-methanol gasoline additives in Ontario and right across this country for that matter. The first, and to me the most important reason, is the protection of our health through the



reduction or complete elimination of lead in our gasoline.

For many years, lead compounds have been added to gasoline to raise its octane rating—thus improving the fuel's anti-knock capabilities—in this time of high-compression engines. However, we have all heard about medical research that suggest lead released into the environment through the combustion of fuel can cause serious health hazards, especially in area of high traffic volume such as Toronto or Hamilton or London. There is also evidence that elevated blood lead levels are associated with harmful biochemical effects in children.

This country is among the growing number of nations restricting lead concentrations in gasoline. We are all no doubt aware that the permissible lead level was lowered to 0.29 grams per litre of gasoline from 0.77 grams in January 1987. On March 25, 1986, the federal government indicated its intention of effectively eliminating the use of lead in gasoline by the end of 1992.

Both ethanol and methanol would serve ideally as octane enhancers in replacing lead. Not only would replacing lead with ethanol or methanol reduce pollution and risks to our health, it would also prove to be excellent high-octane fuel.

Ethanol would boost octane from one to two points and automobile manufacturers could then increase the efficiency of car engines to utilize the increased octane. Ethanol is a clean-burning fuel and that means fewer deposits on car engines and a reduction in existing deposits. This will contribute to longer engine life, reduced run-on and smoother acceleration. The lower emissions would lead to a reduction in pollution equal to taking one car in five off the road, provided all cars use the new blended gasoline.

Another feature of this new blended fuel is something we can all probably identify with. It would prevent gasoline freeze-up because the alcohols eliminate condensation in the fuel tank. Motorists would not have to bother ensuring there is some gasoline antifreeze in their tanks every time they pull up to the gasoline pumps during the cold winter months.

Conserving Canada's dwindling reserves of conventional light crude oil is something we are told to do, it is something many of us are trying to do and it is something we could do better through alcohol blending. Alcohols can serve as fuel extenders by displacing some of the crude oil required in gasoline production.

Methanol is currently manufactured from natural gas, which is a resource more plentiful in Canada than light crude oil, and could also be made from other carbon-rich materials such as coal and wood. Ethanol can be manufactured from ethylene, a chemical produced in petroleum refining, derived from ethane, a constituent of natural gas, or fermented from starch and sugar containing feedstocks such as grains and root crops.

Expanded production of ethanol, using a variety of agricultural materials, could also benefit Ontario's agricultural industry by increasing public demand at a time when the agricultural community faces stiff competition selling its produce abroad. It should also be noted that ethanol production provides a market for substandard produce, crop residues and crop surpluses.

Ontario grows approximately 70 per cent of Canada's corn and is a province where 35 per cent of Canada's gasoline is consumed. Even if all of this gasoline was blended with three per cent ethanol produced from Ontario corn, the supply of Ontario corn would still be sufficient to meet all existing domestic markets and a surplus would still exist to be sold internationally.

Ethanol can be produced cheaply from high-cellulose wastes. If only corn cobs, which are ejected from the rear of the combine harvester after the grain is separated during corn harvesting, were used for ethanol production, the supply would theoretically still be in excess of the amount necessary to add three per cent ethanol to this province's entire gasoline supply. Fuel ethanol could be produced year-round from grain corn preserved direct from the combine as wet corn silage, thereby eliminating the usual \$10 to \$15 per tonne cost for artificial drying.

As I mentioned earlier, ethanol can also be produced effectively from lower-quality grain which exists in almost every year because of poor weather in certain agricultural zones. This fact could enable higher-quality grains or corn to be concentrated and devoted to other uses such as export markets, where reputation for quality is vital to the marketing success.

It is my understanding that nearly 8,000 jobs could be created if this government took a serious interest in ethanol production. The plants for this production could be spread throughout the province, creating employment in numerous sectors rather than just in one or two. This government must take an active role in job creation, pollution reduction, health protection, light crude oil conservation and farm market



creation. This government can take a more active role in these areas by supporting the resolution of my colleague.

I would like to conclude by restating my reasons for supporting this resolution before us now. Agriculture is in a position where it is capable of supplying feedstocks required for ethanol production well in excess of the potential requirements without any major impact on its ability to supply existing and potential markets. A large-scale ethanol industry could result in a three per cent to four per cent increase in grain corn prices to Ontario farmers, because ethanol can be produced from weather-damaged crops and from ensiled, wet grain, therefore avoiding the expense of artificial drying.

As the technology is perfected to produce ethanol from high-cellulose materials, our farmers will also benefit from new markets for crop residues. But even if the impact on agriculture was not included, ethanol-methanol blended gasoline could be judged as being successful and beneficial to the long-term wellbeing of Ontario for the following reasons.

The facilities required to process ethanol could aid economic development in rural Ontario and low-employment areas by creating an estimated 7,750 new jobs. The byproducts of ethanol are distillers' grains and solubles which are valuable feed supplements with international market potential. Ethanol-methanol blended gasoline is an environmentally safer fuel which works better than traditional gasoline currently available to consumers, and ethanol is a renewable resource which would ease the stress on diminishing conventional crude oil resources.

1050

I urge all members of this Legislature to support this resolution from my colleague the member for Stormont, Dundas and Glengarry, and I join with him in urging the Minister of Agriculture and Food, the Minister of Energy (Mr. Wong), the Minister of the Environment, the Minister of Transportation and the Minister of Municipal Affairs (Mr. Eakins) to also support it.

The income of farmers has not increased like those of other people in this society. Farmers are still the backbone of the country. Why should farmers work long hours and still lose at the end of the year? The money these farmers receive in Ontario is nothing to compare with what industry wages are. Everybody gets an increase in salary except the farmers. The Ontario family farm interest rate reduction program of this government has been decreased by 60 per cent. The day

will come when people will be paying dearly for what they eat if they do not look after the farm community.

**Mr. Tatham:** I am pleased to take part on the resolution proposed by the member for Stormont, Dundas and Glengarry.

I know a man who is sometimes asked for a letter of recommendation by people he does not know. This man applies two rules to each request. First, he finds out whether or not the individual has paid his taxes. Second, he also finds out from legal sources whether the individual has been involved with the law and to what extent. If the answers are favourable, a letter of recommendation is forthcoming. If the answers are not, no letter.

The honourable member's resolution, in my view, must pass two tests. Let me describe test number one, the ecosystem approach. What is it? Ecosystems are natural or artificial subdivisions of the biosphere, with boundaries arbitrarily defined to suit particular purposes. It is possible to speak of your personal ecosystem—you and the environment on which you depend for sunshine, air, water, food and friends; the Great Lakes basin as an ecosystem—interacting communities of living and nonliving things in the basin; or our planetary ecosystem—the biosphere.

The ecosystem concept recognizes that you are new, yet not new. The molecules in your body have been parts of other organisms and will travel to other destinations in the future. Right now in your lungs, there is likely to be at least one molecule from the breath of every adult human being who has lived in the past 3,000 years. The air around you will be used tomorrow by deer, lake trout, mosquitoes and maple trees. The same is true of water, sunshine and minerals. Everything in the biosphere is shared.

There is something very strange, deep and mysterious about the way the building blocks of life are arranged as wholes that are, in turn, parts of larger wholes. Everything from atoms to galaxies is literally interconnected. Sharing and interconnectedness are the reasons why the boundaries of ecosystems overlap. Although most people vaguely understand the concept, they do not see how it relates to or affects them.

There is a simple yet profound difference between environment and ecosystem. The notion of environment is like that of a house, something external and detached. In contrast, ecosystem implies home, something that we feel part of and see ourselves in even when we are not there. A home has an added spiritual dimension that makes it qualitatively different from a house. It is



a happier place because of the caring and sharing relationships among its inhabitants.

The emergence of an ecosystem approach to planning, research and management in the Great Lakes basin is not accidental. It is a most recent phase in the historical succession of management approaches from egocentric to piecemeal to environmental and now to an ecosystem approach.

This succession arose from stresses imposed by the burgeoning growth of population and technology in the Great Lakes basin. The ecosystem approach emerged in the 1970s with the realization, in part from the discovery of toxic chemicals and human food chains, that people and environments can only be managed effectively in relation to ecosystems of which they are a part.

The essence of an ecosystem approach is that it relates wholes at different levels of integration—us and ecosystems containing us—rather than interdependent parts—us and our environments. This calls for four-eyed vision, two eyes from the egosystem—a person, corporation, voluntary association, professional discipline, government or nation—looking outward at its external environment; and two from an ecosystem looking at the egosystem and its operational environment as a whole. This perspective, hereafter termed an ecosystem perspective, is crucial to human wellbeing and survival.

What must be done to practise an ecosystem approach?

1. Know your ecosystem. Develop a perspective that takes account of influences on us of larger systems of which we and our external environments are parts. This requires improved knowledge of the operation and relationships of systems in nature.

2. Act in ways that are ecological—taking account of that knowledge and perspective—anticipatory—forestalling events that could bring later regret—and ethical, showing respect for other systems of nature comparable to our respect for our other persons.

Because the consequences of preventing something from happening are invisible to the untrained eye, the benefits of an ecosystem approach are not readily discerned. Some examples of the evolution from indifferent to ecosystem management styles may help to clarify what is meant by ecosystem approach and to show the extent to which it is now in development.

1. Organic waste. First, it was dumped wherever convenient—best of all, in streams or lakes. Next, because of downstream problems,

we developed energy-consuming sewage treatment systems. Now, an ecosystem approach focuses on recycling energy efficiently and material recovery from sewage.

2. Eutrophication. First, it was ignored. When the odours become too strong, nutrient-rich effluents were diverted downstream. Then phosphorus was removed from sewage effluents. An ecosystem approach promotes low-phosphate detergents, more efficient use of fertilizers and nutrient recycling.

3. Oxides related to acid rain. At first, the pervasiveness of the acid rain problem was not recognized. When problems arose locally, the solution was to build taller smokestacks. Then came removal of acids by scrubbing. Now, an ecosystem approach advocates energy conservation and the recycling of sulphur.

4. Water diversion and consumptive uses. The first rule was to divert, the more the better. Then the scale of operation was increased to meet new shortages, encouraging export as a commodity. An ecosystem approach might recommend diverting water sparingly and only in the context of overall regional planning. It might also set limits on overall use or provide incentives for nonconsumptive uses.

5. Cancer. People were never indifferent to cancer. However, it is still commonly viewed in terms of single causes. In an ecosystem approach, real cures—prevention techniques—must be based on the knowledge that cancer is to a large degree environmental, with many contributing causes.

6. Toxic chemicals. At first, toxic chemicals were used indiscriminately. Then they were dealt with one by one with regulations after the fact, as in the case of pesticides. An ecosystem approach requires designing with nature, particularly for long-lived compounds.

7. Energy shortages. Successive “solutions” were, first, to ignore the problem, then to increase the energy supply and expand the grid with pricing to encourage greater use. An ecosystem approach encourages conservational pricing with inverse rate schedules to discourage greater use.

8. Traffic congestion. Successive “solutions” have been to curse, build more roads and superhighways, improve public transportation and stagger commuters’ work hours. An ecosystem approach might encourage a broader look at commuters’ work and travel needs and at overall land use planning.

Then we go on to energy accounting: how many energy inputs for how many energy



outputs. Although the figures I am presenting are taken from a research paper provided by representatives of New York State College and Cornell University 15 years ago, a principle has been established. In 1970, about 2.9 million kilocalories was used by farmers to raise an acre of corn, equivalent to 80 gallons of gasoline. The 2.9 million kilocalories input of fossil fuel represents a small portion of energy input when compared with the solar energy input.

During the growing season, about 26.6 million kilocalories of solar energy is converted into corn. Thus, when solar energy is included, man's 2.9 million kilocalories of fossil fuel represents about 11 per cent of the total energy input in corn production.

The important point is that the supply of solar energy is unlimited in time, whereas fossil fuel supply is finite. Would you give this idea a recommendation? Is it of good character? Has the idea paid its way? The answer to those three questions is yes.

**Mr. Villeneuve:** It is a real pleasure to have had some of my colleagues comment on this private member's resolution. In the three minutes left at my disposal, I will try to touch on a few of the things that were mentioned.

First, I thank the member for Oxford (Mr. Tatham). The ecosystem I do not quite understand. I got a bit of a lesson in ecosystems, but I do hope that this message echoes to cabinet. If it does, then it will have accomplished some of the reasons why I brought it forth.

Some of the people who participated in this debate this morning were concerned that maybe if we take too much corn out of the traditional methods of usage, we will create a shortage. I must tell the member for Norfolk (Mr. Miller), and I thank him for participating in this debate, what we are really doing is squeezing a little bit of alcohol out of this corn and we still have a 28 per cent protein livestock feed that goes right back into traditional uses. We will have more than 95 per cent by weight left to go back to the livestock industry. We are taking very little from the corn itself other than removing the alcohol content, which goes to waste anyway as a livestock feed; it is in the starch there. However, it will be enhancing and reducing the pollution, enhancing our atmosphere, our air. I do not see how anyone can object to that.

1100

The St. Lawrence Starch people who are here this morning I had occasion to meet last fall. They have all of the technology now for the processing and distilling of the product. The

government need not take an initiative here. All the government has to do is send a clear message: "Yes, we are concerned about the environment. We are concerned about weak grain prices. We are concerned about creating jobs."

**Mr. Miller:** We sent the message.

**Mr. Villeneuve:** I hope the message continues to come out, because following what the Treasurer (Mr. R. F. Nixon) said, that the state of agriculture was in very difficult times because of the Massey Combines closing and that agriculture was really going through some tough times, the Minister of Agriculture and Food yesterday almost broke his arm patting himself on the back when I questioned him about a 60 per cent reduction in the Ontario family farm interest rate reduction program. He did not answer that question. Leading up to the September 10 election, there was no talk about reducing the OFFIRR program by 60 per cent.

**Mr. Wildman:** That's true, but last year it was 100 per cent and the Treasurer could have continued it at 100 per cent if he wanted to.

**Mr. Villeneuve:** To the member for Algoma (Mr. Wildman), I thank him very much for participating in this debate.

Interjections.

**The Deputy Speaker:** Order.

**Mr. Villeneuve:** I did not want to light a fuse here, but those are facts and they happened very recently in this Legislature.

United Co-operatives of Ontario has also taken the initiative. They have two service stations in Ontario, and I visited one last fall when I met with the people from St. Lawrence Starch. They are taking the initiative. They know there is a market out there. They know the public of Ontario is concerned. The message has to come from all the different ministries, and it is the Minister of Agriculture and Food and the Minister of the Environment (Mr. Bradley) primarily who have to sell this.

I certainly hope that this private member's resolution has in some small way created some activity or some thinking. We do have all of the technical things in place. All we need is the will of the government to act.

**Le vice-président:** Le débat de la résolution de M. Villeneuve est maintenant terminé. A l'ordre du jour.

## PLASTIC PACKAGING

Ms. Collins moved resolution 34:

That, in the opinion of this House, recognizing that plastic packaging often poses serious envi-



ronmental problems, and recognizing that research into possible solutions to these problems is required, and recognizing that plastic packaging materials are important in our economy, and further recognizing that the development of initiatives to develop environmentally sound plastic packaging use and waste management practices could prove economically valuable for Ontario, the Minister of the Environment should develop, as soon as possible, a plastics waste management policy affirming a clear preference for the reuse, recycling, recovery and reduction of plastic packaging materials where feasible, and in such cases where the reuse, recycling, recovery or further reduction of materials may be deemed inappropriate or impractical, the minister should consider safe and environmentally benign degradation as a desirable method of waste disposal for certain plastic products. To develop a comprehensive plastics waste management program, the minister should:

- (a) identify the areas of plastic usage where degradability may be desirable;
- (b) identify the pros and cons of the available and potential degradable plastics technologies for different plastics usages;
- (c) identify the degradable plastics capabilities of Ontario industry and make recommendations regarding public policy initiatives to assist this development;
- (d) conduct research into the effects of plastics degradation and its breakdown products both in the environment at large and in landfill sites;
- (e) involve the plastics industry in encouraging the reuse, recycling, recovery and reduction of plastics;
- (f) identify areas where further research is needed;
- (g) make recommendations regarding the co-ordination of intergovernmental action where necessary;
- (h) make recommendations for legislative or regulatory action regarding specific plastics usages;
- (i) make recommendations concerning the performance standards of degradable plastics; and
- (j) identify the economic and environmental effects of recommended actions.

**The Deputy Speaker:** The member has up to 20 minutes to make her presentation and may reserve any portion of it for the windup.

**Ms. Collins:** Thank you, Mr. Speaker. I would like to reserve a few minutes for later, but I must tell you I was relieved to hear that the

reading of the resolution was not included in my time allocation.

**Mr. Callahan:** It usually is. We made an exception.

**Ms. Collins:** Thank you.

As members may be aware, this is Canadian Environment Week. It is a time not only to reflect on the health of our environment but also to take further steps to protect it. The consideration of this resolution presents this House with an excellent opportunity to do just that. Many members may remember the popular 1960s film *The Graduate*. There is a scene in this movie in which a young college graduate, wondering what he is going to do with his life, is advised that the future is in plastics. Prophetic words.

In recent years, the use of plastic products and materials has increased dramatically in our society. In particular, we seem to have fallen in love with plastic packages, containers, wrapping and other short-life products. The reasons are not difficult to determine. Plastic is lightweight, safe, durable, inexpensive and highly protective of packaging contents. All the indications are that this love affair will continue and, if anything, intensify. By the year 2000, in the United States alone, it is expected that the demand for plastics will rise by 36 per cent, to reach the staggering figure of 76 billion pounds annually. Of this amount, 25 per cent, or almost 20 billion pounds a year, will be used in packaging or other short-life uses. That is a lot of plastic bags.

However, if we do not change the way we dispose of these materials, our future in plastics could look very bleak indeed. The problem we face is simple, and actually, it was mentioned earlier on the last resolution. After we use plastic products such as garbage bags, food and beverage containers and six-pack carriers, most of us just throw them out and forget about them. As such, these materials are highly symbolic of our fast-paced, throwaway society, as a visit to any fast-food outlet will readily attest. However, they are not just symbols. Most plastics are made from petrochemicals and take a long time to break down.

When we dispose of our plastic garbage, it may go out of sight and out of mind, but it does not go away; at least, not quickly. It is estimated that plastic debris takes 2,739 years to degrade into a harmless state. The results of this durability are more and more evident. Our society faces a growing problem of where to put its garbage. We are running out of room in our landfill sites. Every proposal to create a new one



generates often intense opposition from local residents. Serious environmental concerns exist about air emissions from refuse incinerators, also often resulting in opposition to their construction or continuation. Plastics are increasingly adding to these waste disposal difficulties.

Although plastics currently comprise only a relatively small proportion of municipal solid waste, estimated at about seven or eight per cent, this proportion is steadily rising. That is not the only problem with plastic waste. Plastics also endanger many forms of wildlife. The biggest culprits in this regard are garbage bags and six-pack holders. The numbers are chilling. It is estimated that 100,000 marine mammals and hundred of thousands of sea birds die each year from eating or becoming entangled with plastic debris. Finally, as any outdoor excursion will confirm, plastics litter our lands and waterways.

It is true that this defacement of our environment is due to careless behaviour. However, because of the durability of plastics, the short-sightedness of this generation will be visited on our descendants for many years to come. Litter is not just an eyesore; it is also the violation of a trust.

We must take steps now to deal with the problems posed by short-life, single-use plastic products. Just to clarify, I include in this category plastic items such as packaging and wrapping, food and beverage containers, six-pack ring carriers, swab sticks, agricultural mulch film, fishing lines and nets, and even diapers.

**1110**

It is generally agreed that the recycling of waste materials is the best way of meeting the challenge for our growing garbage crisis. In the last few years, the Ontario Ministry of the Environment has begun to actively promote the recycling option.

The most visible sign of this campaign, of course, is the curbside blue box, which is appearing in more and more Ontario communities each year. In my own riding of Wentworth East, the city of Stoney Creek has had blue boxes for several years, and the city of Hamilton has just started its city-wide blue box campaign. However, to date, aside from some types of bottles, these recycling efforts have not really touched plastics.

The purpose of the resolution I am moving today is to change this situation by calling upon the Minister of the Environment (Mr. Bradley) to develop a plastics waste management policy as soon as possible. This policy would affirm a clear

preference for the reduction, reuse, recycling and recovery of plastics, where feasible.

Nevertheless, a recent study has suggested that a maximum of 25 per cent of plastic waste produced during the coming decade has a realistic potential of being reused or recycled. It is possible that this figure is a low estimate. We just do not know until we put in place a comprehensive plastics recycling program whether or not that is the case. However, it is quite likely that the four Rs still would not effectively cover all plastic products.

Fortunately, there are technologies available now which cause plastics to break down relatively rapidly after use. Plastics of this type are termed degradable and they fall into one of two categories: first, biodegradable, in which breakdown is accomplished or assisted by natural organisms; or second, photodegradable, in which breakdown is accomplished by exposure to ultraviolet light.

Some Ontario firms currently are in the forefront of the development of these technologies. We have already heard this morning, for example, that St. Lawrence Starch Co. of Port Credit is producing a product known as Ecostar, a blend of plastic and corn starch.

The resolution I am proposing states that safe and environmentally sound degradation should be considered a desirable method of waste disposal for certain products for which the four-Rs option is deemed impractical or inappropriate.

I should mention to members that when I originally thought about introducing a bill or a resolution to address the problem of plastic pollution, I intended to set a long-term but mandatory deadline after which the sale of nonrecyclable or nondegradable short-life plastic products would not be allowed. A number of legislatures in the United States and Europe have enacted measures of this type, although usually they are specifically directed at particular plastic products, such as ring carriers. Almost a dozen US states, for example, now require degradable beverage ring-top containers, and Italy has recently passed a law requiring all packaging materials to be degradable by 1991.

However, I believed that a comprehensive plastics program dealing with a whole range of short-life, single-use products was required. Yet the more I examined the issue, the more obvious it became that, although we definitely need a plastics waste management policy as soon as possible, a number of questions must be an-



swered before we can implement this policy in detail.

For example, it is not clear for which plastic products degradation rather than recycling would be desirable. It is also not known exactly how degradable plastics behave in a landfill site or in the environment at large. In addition, there are quite legitimate concerns that degradable plastics may have the undesirable effect of encouraging people to litter.

Accordingly, this resolution calls upon the Minister of the Environment to establish a comprehensive plastics waste management program to address these concerns. Based on this research, the body or task force set up to oversee this program will then make recommendations for further action, such as waste disposal regulations for specific plastic products and government initiatives to assist the development of degradable plastics technologies.

The implementation of this program will benefit both our environment and our economy. The growing trend throughout Europe and North America to recognize and act on the problem of plastic pollution opens a real window of opportunity for companies that produce recyclable or degradable plastic materials.

The development of a plastics waste management program could provide the critical boost our industry and research establishments need to become world leaders in this area. Policy initiatives introduced in this regard could dovetail nicely with the work presently being done by the Premier's Council.

For example, the strategic procurement program could possibly be adapted to require that the government purchase recyclable or degradable plastic bags, or perhaps need for further research into degradable plastics could spur the creation of a centre of excellence in the highly promising field of environmental technology.

It has become evident in recent years that economic development must be compatible with environmental protection. If we want our children to enjoy a prosperous future, we must bequeath to them a habitable planet. To achieve this objective, we must begin now to pursue the path of sustainable economics, not just in words but in deeds. I believe that an environmentally sound plastics waste management program could provide a concrete illustration of the wisdom of this approach.

Once this program is in place, its ultimate success will depend on the co-operation of each citizen; and after its implementation, it should be much more difficult for each of us to put out a

garbage bag, grasp a six-pack holder, open a fast-food container or drink from a Styrofoam cup without considering where these plastic materials will end up. Perhaps the future does lie in plastics, but we must act now if we wish to live in that future.

**The Acting Speaker (Miss Roberts):** The honourable member has eight and a half minutes left. Do you wish to reserve any amount of time with respect to that or the whole eight and a half minutes?

**Ms. Collins:** I should not require more than a couple of minutes, Madam Speaker.

**The Acting Speaker:** Then the honourable member will reserve two minutes?

**Ms. Collins:** Yes.

**Mrs. Grier:** I welcome the opportunity to participate in this debate. I am very glad the private member's motion which the member for Wentworth East (Ms. Collins) has moved is before us today, because it gives us an opportunity to talk about a subject that is becoming increasingly important to those who try to protect the environment. I think the analysis that has been given by the member of the problems with plastics—the problems they cause and the problems of getting rid of them—is a very good analysis.

I regret, however, that in her examination of what to do about the problem, she rejected the idea of suggesting legislation and controlling the use of plastics in our environment. I think the program she has outlined, while worthwhile and obviously necessary, does not go nearly far enough. It smacks too much of more research while we decide what we are going to do, rather than actually coming to grips with the problem and initiating at least some action to prevent the degradation of our environment any further by plastics.

I would remind the honourable member it was the government that is now in office which, in fact, introduced the two-litre plastic bottles to our environment and it is those bottles that have really contributed to the increase of plastic in the waste stream. In fact, since their introduction in 1978 in the United States, almost 22 per cent of the volume of carbonated beverages is now sold in those large plastic bottles and there is no way of turning a used polyethylene terephthalate or PET bottle into a new one. If we really want to do something about the plastics problem, we have got to stop their entry into the market if they are not recyclable or reusable.



I want to talk a little about the four Rs the member mentions in her resolution. We all of us say we support reuse, recycling, recovery and reduction. Unfortunately, though, when we talk about recovery, that too often means incineration. Incineration is not a good answer to the problem of waste management and it is a particularly bad answer when we come to talk about plastics.

I want to make it very plain that while I am supporting the member's resolution there are some aspects of it that really trouble me. If, in her definition of recovery, it becomes incineration, then that is certainly something I have reservations about. As to the problems of burning materials which contain chlorine compounds, plastics and bleached paper are two of the major sources of those compounds. During combustion those are exactly the compounds which produce dioxin, and that is one of the problems which has been evidenced in much of our food and in much of the human body and is certainly one of the most carcinogenic substances showing up in the food chain. I think we have to be very clear that incineration of plastics is not a solution we are about to support.

1120

The other difficulty with one of the four Rs when it comes to plastics is that recycling is not easy. It is easy to recycle paper, it is easy to recycle metals and it is easy to recycle glass and aluminum, but it is not easy to recycle plastics. In fact, in New York state, I understand two thirds of the plastic soft drink containers that were returned under its recycling or deposit systems ended up being buried because there is just no way of reusing that material and putting it back on the market.

If it can be reused, though, there are certainly some advantages, because reusing plastic is a great saving in energy. In an article by World Watch Institute, there were some facts that indicated by developing a process for recycling plastics, we could save twice as much energy as burning them in an incinerator. I quote Dr. Jack Milgrom, a plastics analyst: "Producing a fabricated plastic product from scrap instead of virgin resin saves 85 per cent to 90 per cent of the energy otherwise used, including the energy of the petroleum feedstocks used to manufacture the resin." Certainly, if we could begin to recycle some of that plastic, we would not only be saving the disposal costs, but we would be saving the energy used to create the plastic in the first place.

Essentially, what we have got to focus on if we really want to come to grips with the plastics

problem, and what this resolution, in my opinion, does not focus upon sufficiently, is the source reduction. Certainly, we support biodegradable plastics and we support any ecological solutions to the problem of plastics, but we have got to really look at how we can reduce the introduction of plastics into the waste stream if we are to prevent them ultimately ending up as an environmental contaminant.

The kind of technological solutions which are identified in the member's resolution might well serve to divert attention away from that essential element of reducing the source. I think we also do not know enough about the actual conditions under which plastic products do biodegrade. Is it in the earth? Is it in sunshine? How are we going to know how it will really work in the real world? All of that will take a long time to develop. The kind of research the member outlines in her resolution is perhaps going to delay for far too long legislation to prevent the entry of plastics into our economy.

We do have the constitutional ability to legislate against the introduction of plastics and we have done far too little of that. I made reference to the present minister's permission to allow these plastic containers into the soft drink industry. Not only have we allowed that new product on to the market, we have done nothing and this government has done nothing to prevent the entry of other kinds of plastic into the waste stream. I think more attention needs to be diverted to the kind of legislation we need and to enacting that legislation quickly, as well as to the very laudable research which is suggested in the member's resolution.

I hope, if this resolution is adopted, it will not be seen as the end of the problem but merely a beginning, and that the time frame which is contemplated for the kind of research the member is outlining and the kind of examination and the kind of policy discussion will be a very brief one. As the member has outlined, the problem is very great and, in my opinion, we cannot delay any longer before really coming to grips with it. We have to begin to legislate on this aspect, not just study it further. I thank the member for allowing us to have the opportunity at least to raise the issue and debate the subject. I hope we can move forward from here and really take some action, not just research into what action might be necessary.

**Mrs. Marland:** When I came into the House this morning, I thought this was really a historic day, because at that time we had seven women in this Legislature and five men. I feel that is worth



putting on the record and should be recognized. I am happy to have a woman in the chair, as I have mentioned before. I am also happy to support the resolution of the member for Wentworth East.

The member's resolution calls on the Ministry of the Environment to develop a plastics waste management policy which states a clear preference for the reuse, recycling, recovery and reduction of plastic packaging materials. Where this is inappropriate or impractical, the resolution calls on the minister to consider safe and environmentally benign degradation, a desirable method of waste disposal for certain plastics.

Although progress is being made in the areas of recycling newspapers, metal cans and glass bottles, the disposal of plastics is presenting a rather stubborn challenge. An ever-increasing number of convenient but nonreturnable plastic containers is adding to an already troublesome household waste stream.

In 1987, soft drinks sold in nonrecyclable two-litre plastic bottles accounted for 10 per cent of the pop market. Dairy products are increasingly packaged in plastic, and now other groceries such as ketchup, jams and relishes are being sold in the squeezable plastic containers.

Although plastic packages have the advantage of being lightweight, unbreakable and flexible, they do not easily lend themselves to reuse or recycling and they do not really decompose.

Recyclers already have their hands full in expanding collection of newspapers, glass bottles and metal cans. Plastics are not as efficiently collected. Their relatively cheap production costs and low weight make the economics difficult, and their physical properties do not always facilitate compaction, making them take up considerable space on recycling trucks.

Plastics cannot be separated and cleaned for recycling as readily as cans and bottles because of their physical properties. For instance, a squeezable ketchup bottle is made of six layers of plastic, each engineered for shape, strength, flexibility and impermeability. Plastic containers for different products have different characteristics and properties.

Some progress has been made by a Toronto company, Ecoplastics Ltd., which has developed a resin that allows plastic packages to disintegrate in the sun. Those of us who have been fortunate enough to have vacation time where we walk beaches anywhere in this world would certainly know that if we did have a plastic that disintegrated in the sun, we would have an instant cleanup on the beaches.

I think it is abhorrent, when we do have that opportunity, to see the amount of plastic that is on the beaches. It speaks for itself about the fact that this is a severe, worldwide, garbage problem. This process is being promoted for use in a variety of plastic products, such as clear packaging, fishing nets and six-pack rings.

In the United States, trends of increased use of plastics are emerging rapidly. The two-litre plastic soft drink containers there represent 22 per cent of the volume of soft drinks sold, and the plastics' share of US municipal waste has nearly doubled in the past 10 years. Plastics account for a 17 per cent share of a \$19-billion food-packaging market and are projected to grow to 50 per cent of a \$44-billion market by the year 2000.

The reason what is going on in the United States is significant is that our Canadian consumer preferences usually follow quite closely those of the Americans, if not for any other reason but the fact that we are so inundated with their advertising. Actually, we are already experiencing similar trends here.

#### 1130

Awareness of the difficulty in recycling this large share of waste plastics is also increasing rapidly, especially in light of the problems facing municipalities currently searching for new landfill sites. Those of us who are directly involved with that issue and some of us who were at the municipal level before we came into this Legislature, know what a severe and serious problem the search for new landfill sites is.

At least seven US states and as many European capitals have introduced bills to limit or ban some plastics. There has been some research in the area of plastic recycling. The Toronto Recycling Action Committee commissioned a report in 1982 which concluded that plastics deserve to be considered as a priority in the identification of potential recycling developments.

In 1984, Environment Canada published a study entitled *Plastics in the Waste Stream: The Needs For and Benefits of Recycling*. Subsequently, in 1985, the department published two handbooks on plastic recycling. Despite the research work which has already been completed, there has been very little in the way of action.

The resolution of the member for Wentworth East is timely in that the rising costs of landfill and incineration and the public's concern with the state of the environment might now help deal with the economic problems of recycling plastics. Certainly, if we are sincerely committed to the preservation of the environment, I hope



we will see a greater emphasis by this provincial government and other jurisdictions across Canada on the development of a sincere commitment to the three R's.

When we talk about "reuse and recycle," we also have to look very seriously at the reduction at the original source, of that kind of material being used in as many products as it is. I have thought how fantastic it would be if a company like McDonald's, for example, would take the initiative, with all their publicity, to decide they were going to be the company which would use a biodegradable product for the containers of the food products they sell, rather than all the plastic products they use.

I think if we can look at reduction, then obviously we solve the problem at the other end. Our world and our environment are obviously far too valuable to all of us and to all the generations that will follow to put it at risk unnecessarily. We have a lot of convenience and in the long run perhaps we have a lot of economy in the use of plastics in terms of inexpensive or less expensive forms of packaging. But I feel very sincerely that sometimes we have to make an investment that is more expensive in some areas in order to have something we have worked for and protected at the end.

I hope this resolution will receive the support of the Legislature. I hope, being a private bill, that it will not just sit on the shelf. It is possible, because it is a government member's private bill, that it will not sit on the shelf. The only negative comment I must make is that I feel it is unfortunate that the private member has to bring this bill forward because the Minister of the Environment (Mr. Bradley) and his staff have not yet seen fit to develop a policy in the past three years which would deal with this increasing problem.

It would be very simple to make it mandatory to have a deposit, particularly on the PET bottles. The jug milk stores have done that on their plastic containers. I think the incentive to return those large PET bottles by charging a deposit on them in the initial purchase would be at least one step towards the reduction of the number of those that end up in the domestic waste stream. Even though they are not recyclable in terms of reuse, they are recyclable by the manufacturers, and that is one step that should be taken.

**Ms. Hart:** I am pleased to rise and speak in support of this worthwhile resolution brought by the member for Wentworth East.

Proper waste management is an important issue which must be addressed by all of us. It

appears that, almost simultaneously, most municipalities in Ontario are experiencing a waste management problem. You can tell that if you read the local papers in any municipality in this province.

This problem has arisen for a number of reasons: population growth, change of lifestyles, the NIMBY, not-in-my-backyard syndrome, lack of earlier planning and the nature of the materials we now use in packaging.

I am pleased that this resolution recognizes the complexities of waste management and puts the proposed plastic waste management strategy into the proper context. As with all the proposed solutions to waste management, the use of biodegradable products has its advantages as well as its disadvantages. I am pleased the resolution indicates that this government should develop a waste management policy that affirms a clear preference for the four Rs. That has been and will remain this government's first priority in dealing with waste management, be it plastics, glass, newspapers or other waste-stream components.

Our first priority must be to reduce the amount of waste we produce. This is particularly important in the area of packaging. Much of today's packaging is made of plastic. Current estimates show that packaging waste represents about one third of municipal solid waste. Plastics represent about seven per cent by weight of all municipal solid waste. However, when that is represented by volume, plastics represent about 30 per cent of municipal solid waste. Anybody who goes to the grocery store can tell you that. It is a dispiriting experience to come home and throw out a whole garbage bag full of waste packaging.

Obviously, there is a problem which needs to be addressed. This government's recycling program is an attempt to address this problem. When our government came into power in 1985, the amount of money set aside for recycling was a mere \$750,000. This year, our budget for recycling will be \$7.7 million, up 10-fold.

By the end of this year, most major urban centres in Ontario will have a curbside multi-material recycling program. The challenge facing this government is to expand the curbside recycling program to include composting, to include apartments and to include materials that are not currently part of the program.

Plastics often represent underrecycled materials. Of the plastics in the municipal waste stream, polyethylene terephthalate is the most recyclable. PET is the type of plastic used for packaging,



and the most prevalent PET package is the two-litre plastic soft drink container. It has been estimated that the potential market for recycled PET is 1.33 billion pounds per year. That is more than twice the total amount of PET currently sold annually in North America. We need to encourage the recycling of PET as part of the curbside recycling program.

Another type of plastic that should be recycled is polyvinyl chloride. PVC is the most common plastic found in packaging. We could use PET to induce a broader recycling of PVC and others, in effect, to be the engine that drives the initiative.

We need to look at reducing the amount of waste we produce. Packaging of consumer products and industrial goods serves many worthwhile purposes in our society. One I can think of is cleanliness. Nutritionists tell me that for years they fought to have bulk goods packaged so that the cleanliness could be determined and made consistent.

**1140**

Excessive packaging, on the other hand, creates unnecessary waste and results in disposal problems. I heard a good example of this the other day. It used to be that banks provided to their business customers for their daily deposits sturdy canvas bags. I understand that they are now providing, and of course charging for, disposable plastic bags to make daily deposits, and these bags are not reusable. That is clearly one of the areas we could look at.

The Ministry of the Environment's approach is to encourage industries and the public to accept responsibility for waste produced by minimizing the consumption of goods with excessive packaging, thereby reducing waste-generator levels. This issue is being reviewed to determine specific additions that may be warranted. The four Rs approach to waste management that we have heard of today to reduce the amount of waste entering municipal landfill sites will remain the first priority of this government.

Biodegradability may be appropriate under certain circumstances. The region of Durham has recently passed a resolution saying that plastic shopping bags sold and used within the region must be biodegradable. This is an innovative approach to waste management. We should approach the use of biodegradable plastics carefully, however. We need a complete breakdown of the plastic structure into harmless components. It is not helpful if the breakdown results in more plastic chips.

As well, if and when the biodegradable plastics break down, there is a lack of knowledge

as to what the plastic breaks down into. If it is just breaking a large sheet of plastic into smaller bite-size chunks, then the question of the toxicity of the plastics has not been resolved. If the biodegradability breaks the products down into its basic elements, then there are advantages to the use of biodegradable packaging.

The lack of knowledge on this topic needs to be addressed. Some feel that the use of biodegradable plastic shopping bags will lead to increased litter. Therefore, the use of any biodegradable bags must be coupled with an education program to teach people how to use the bags in an environmentally sound manner.

Another problem with biodegradable products that needs to be looked at is the fate of biodegradable plastics in landfill sites. The most common use of biodegradability is that which breaks down under sunlight. However, in a properly engineered and operated landfill site, each night the landfill site is covered with soil. Therefore, the sunlight would never be able to penetrate into the landfill site to break the plastics down. Some of the benefits, therefore, are lost when the plastics enter a landfill site.

We must never allow the use of biodegradable plastic to interfere with the recycling program. The presence of biodegradable plastic will make the sorting of plastic waste into the different types much more difficult—not impossible, but much more difficult. I feel that this resolution calls for a comprehensive waste management strategy for plastics, a resolution that states that the first priority must remain the four Rs of reuse, recovery, reduction and recycling; a resolution that also calls for further study into the advantages and disadvantages of the use of biodegradability. These questions must be answered before the proper use and role of biodegradable products and our waste management strategies can be properly assessed.

Proper waste management requires that we look at all options in handling our waste, from the four Rs to biodegradability to new technology that constantly is appearing in our marketplace. The development of these and their place in the proper context within the overall waste management master plan in this province will be a challenge that this parliament will face for many years to come.

In conclusion, I am pleased to support this resolution and applaud the member for Wentworth East for bringing it forward.

**Mr. Swart:** I do want to speak on this issue, even though I am only a mere male. After four female speakers, with a female in the chair today,



I have the temerity to rise and speak on this issue. The member for Mississauga South (Mrs. Marland) mentioned that there were more women in the House than men at a certain point this morning.

There are now, proportionate to their numbers, far more women in the House and it is not untrue to say that in many environmental issues, women have given a great deal of leadership in this province. In fact, again compared to the number of women in the legislatures and holding senior positions in many organizations, their involvement in environmental matters has far exceeded their involvement in many other areas.

For this, I compliment them. It shows, I think, that they have perhaps more fundamental good sense, proportionately, than many of us males have in our society. I would be less than fair today if I did not pay tribute to the member for Etobicoke-Lakeshore (Mrs. Grier) for the leadership she has given on environmental matters in this House and the very high degree of competence she has brought to the matters dealing with environmental issues.

This resolution that is before us today is, I think we would all agree, a good resolution. Nobody is going to vote against it in this Legislature. In fact, it is rather interesting that we have two resolutions here today before us that are somewhat similar, both dealing with the matter of environmental pollution, at least the first resolution to some extent pertaining to plastics and suggesting alternatives to them.

I would have liked to have spoken on that resolution as well. However, I find that demands on my time, which I thought might lessen during this period, have in fact increased. By apparently trying to catch up and through the normal demands which a person has on time, I was not able to speak on that.

We need action. As the member for Etobicoke-Lakeshore said, we need action on this matter, not just resolutions which call for research. Nobody denies that research is necessary, but we need action. I was thinking of this matter the other day when I took out the garbage and took out the blue box we have in Thorold and put some plastic bottles into that blue box. When I went out the next day, because the garbage had not been picked up, they were lying beside the garbage.

In our municipality—I am not sure this is true in other municipalities—in the recycling they do not take the plastic. They will take the bottles and they will take the other items that can be recycled but they do not take the plastic. So the plastic ends up in the garbage bag and goes out to the

landfill, which is the way it is handled in our area. Of course it will rest in that landfill for decades and decades and perhaps centuries.

So we need some action to ensure that plastics are recycled. They can be recycled. The technology is there. There is no question about it. It may be more costly but they can be recycled, and there should be action taken quickly on items such as that.

#### 1150

I think we have to recognize that plastics are here to stay. They serve a great need in our society. No one can deny this. The public wants them. Therefore, we are going to be using them and continue to use them. It is wishful thinking that somehow or other they are all going to be replaced. Sure, some of them can be replaced with something other than plastics, but in many of their uses they are going to stay. That means, of course, that we have to do one or both of two things: there has to be a high degree of recycling and we also have to move to the biodegradable types of plastic.

I think all of us know that will probably be more costly. Whichever one of those we use, at least for a period of time, it is going to cost society more. The costs of recycling, at least at the present time, they tell us, are more than just producing the products new. With going to biodegradable plastics, first, there may be a real technical difficulty of having them as tough as the plastics we have at the present time, a difficulty replacing them. Again, they are going to be more costly.

I just want to say that if they are going to be more costly, it is a price society is going to have to pay, because although the production of the present plastics may not be terribly costly, the cost to society over a long period of time is going to be much greater in clearing up the mess at some time, and we will have to clear up the mess at some time, just like the burying of chemicals in the past.

We find now that to treat those chemicals and to eliminate the danger is going to be tremendously costly. Perhaps not to the same degree but to some degree the same thing is true with plastics. The cost of cleaning up the mess of our present types of plastic is going to be extremely costly and we must move quickly.

It is important—there is no question about it—to develop a plan, and the resolution we have before us deals with most of the issues we must deal with in developing a plan. It is stated that “the Minister of the Environment should develop, as soon as possible, a plastics waste management



policy affirming a clear preference for the reuse, recycling, recovery and reduction of plastic packaging materials where feasible and in such cases where the reuse, recycling, recovery or further reduction of materials may be deemed inappropriate or impractical, the minister should consider safe and environmentally benign degradation a desirable method of waste disposal for certain plastic products." Then it goes on with all the things that need to be done.

I say that those things do need to be done, but the bottom line is that of action. That is where this government is going to fall down. That is where the Conservatives and Liberals fall down in our society all the time. It is all very well to talk in general terms, in platitudes, about needs; nobody disagrees with that sort of thing. But the problem is that when it comes to the bottom line, you have to interfere with the marketplace, and that is what those people will not do. They will not interfere with the marketplace.

It does not matter whether it is in auto insurance; there is no question about public auto insurance, but they will not interfere with the marketplace. It does not matter whether it is the bereavement industry; everybody knows that people should not be bothered on that matter, but they will not interfere with the marketplace. It does not matter whether it is the high cost of housing that we bemoan, where in Toronto now over 50 per cent of the cost of the houses is due to speculation on land. Ah, but we must not interfere with the marketplace. They will not do anything about those things.

Even on health, it was not the Liberals and the Conservatives in this nation who brought about public health. It was the New Democratic Party, the Co-operative Commonwealth Federation. Why did they not bring it about? Did they not know it was needed? Of course they did, but they would not interfere with the marketplace at that time. That is the bottom line. If the government means it, there should be this plan of action. It should be brought forward within a certain period of time. We can do it if we have the will to do it and are willing to interfere with the marketplace.

**Ms. Collins:** I have only a couple of things to say. First of all, I want to express my appreciation to all the members who have spoken and said that they will be supporting this resolution. I do appreciate it and I think it is very appropriate. I mentioned earlier that it is Canadian Environment Week, but this Sunday is also World

Environment Day, so I think both resolutions are quite appropriate this week.

I listened carefully to the comments of the member for Etobicoke-Lakeshore in regard to the fact that this is not a bill but a resolution, and legislation is needed. I do not argue that fact. In my remarks earlier, I did talk about the possibility of having a comprehensive policy and also making recommendations for legislation and regulations.

The member for Etobicoke-Lakeshore went on to talk about some of the problems with the four Rs and some of the problems with degradable products. It is for that very reason that I think we have to look at all of those things before bringing in the legislation and the regulations.

I am quite familiar with the problems of recovery. As an alderman and a regional councillor in east end Hamilton in my former life, I had the Swaru incinerator in my ward at that time. It was the first incinerator in the province, and we had a great many problems with it just three or four years ago, when the dioxin levels were extremely high. I was very involved in the fight to have the incinerator retrofitted.

But again, technology moves very quickly. The incinerator was built in the early 1970s and already the new technology has been improving incinerators across the province. We do not know how much further that technology will advance in the next few short years.

**Mr. Speaker:** The member's time has now expired.

**Ms. Collins:** I did not realize I would use my two minutes so quickly. I thank the members for their support.

**Mr. Speaker:** I know the members are aware that the standing order states that the vote shall be taken at 12 noon. It is so close to 12 noon, would the House be in agreement?

Agreed to.

#### CROP USES

**Mr. Speaker:** Mr. Villeneuve has moved resolution 33.

Motion agreed to.

#### PLASTIC PACKAGING

**Mr. Speaker:** Ms. Collins has moved resolution 34.

Motion agreed to.

The House recessed at 11:59 a.m.

## AFTERNOON SITTING

The House resumed at 1:30 p.m.

### MEMBERS' STATEMENTS

#### MASSEY WORKERS' BENEFITS

**Mr. Mackenzie:** Yesterday hundreds of Massey-Ferguson retirees and their spouses demonstrated in front of the Downtown Holiday Inn where the annual meeting of the Varsity Corp. was held. Varsity is the company set up with the usable remnants of Massey-Ferguson, which, as Massey Combines, went into bankruptcy. These retirees have been robbed of their benefits, as outlined in this House yesterday.

When questioned about the demonstration, Jack Nowling, a Varsity spokesman, first said, "What demonstration?" and then said, "Angry people often do irrational things." What a sick comment from a company which, while cheating long-time, loyal workers, had just announced a healthy profit and a bonus of 2.5 million shares to key executives of the company only—executives like Chairman Victor Rice, whose salary last year was only \$600,000 from this company, or President Lorenzo, whose salary was only \$463,000. What an example of corporate morality and justice in the province of Ontario.

The Ontario government holds shares in Varsity, a company which also refuses to stop doing business in South Africa. How were the Ontario shares voted at that meeting yesterday? If this government has any belief whatsoever in justice and morality, it will end all its dealings with Varsity, and very swiftly.

#### MUNICIPAL ZONING BYLAWS

**Mr. Jackson:** I rise to give notice to all members of the House that today, in committee of the whole, I will be introducing an amendment to Bill 128, the Planning Amendment Act, that will prohibit municipal councils from passing exclusionary bylaws.

Members will be aware that during the last election campaign all three political parties told the Ontario Federation of Students that they oppose these bylaws, which discriminate against unrelated persons who wish to share residential property. Unfortunately, there has been no action by the Liberal government to fulfil this election promise. Seniors, the disabled, single parents, students, the working poor and others are all affected by these municipal attempts to prevent them from sharing accommodation in order to cut

housing costs. Not only do these bylaws restrict access to the available housing stock, limited as it is, but they also constitute a form of discrimination which has no place in the Ontario of 1988.

The amendment which I will introduce this afternoon is modelled after my own private members' bill, Bill 94, which I introduced in January. That bill has the endorsement of the Ontario Federation of Students, the University of Western Ontario Students' Council, the Wilfrid Laurier University Cord, the McMaster Silhouette and the countless student councils in Ontario. Members will remember that 10,000 university students from across this province have signed postcards asking the Premier (Mr. Peterson) to stamp out exclusionary bylaws.

This afternoon our commitment to affordable, accessible housing for all, especially students, will be put to the test. Let us not fail.

#### ITALIAN NATIONAL REPUBLIC DAY

**Mr. Leone:** Today is the 42nd anniversary of the founding of the Republic of Italy. As someone who has fond memories of this important event in Italy's history—in fact, I was only 17 then and I was there—I think it is appropriate for me to rise and offer my warmest congratulations to the President and the people of Italy, to the diplomatic corps in Canada and the consular representatives here in Toronto and to the Italian community of Ontario and Canada.

This gives me the opportunity to remind this assembly of the great contributions made by Italians towards the growth of this great province, Ontario, and this great country, Canada.

There is no place here in Ontario and Canada, there is no sector of our lives, where the presence of Italians is not present, from the initial contribution and discovery of Canada by Giovanni Caboto, from the physical work of our first immigrants who worked—and many lost their lives—in the mines; on the railroads; in the building of cities, hospitals and schools, and in the construction of highways and airports, to the presence of Italian Canadians today in every facet of life: industry, commerce, education, science, religion, medicine, professors and deans of universities and public life, including this assembly, which accounts for—

**Mr. Speaker:** Order. The member's time has expired.



## HOSPITAL SERVICES

**Mr. Reville:** Martha Macdonald was admitted to the Arthritic and Orthopaedic Hospital today. She is 81 years of age. She lives in the riding of the Attorney General (Mr. Scott). Originally, she had been scheduled to have both her knee joints replaced. She has extreme difficulty in getting around. She was called just before entering the hospital and advised that only one of the joints can be replaced because of budget cutbacks.

In discussions with her surgeon, we are advised that this particular surgeon was doing 20 such operations a month and is now doing only six. It is because of government cutbacks that people like Martha Macdonald are going to be required to undergo two convalescences when in fact the medical requirement was that she undergo only one.

I think it is a particularly touching accusation of the lack of planning this government has done in terms of our health care system that this elderly woman is going to have to suffer at least twice as long and perhaps find it even more difficult to get around in the time she is waiting for the second knee joint to be replaced. I think it is shocking.

## DRINKING AND DRIVING

**Mr. Harris:** It is with a great deal of pleasure that I rise to inform the House about an organization called SADD, Students Against Driving Drunk, in Nipissing riding and indeed across many communities in Ontario.

They are united by the belief that friends do not let friends drive drunk. A community awareness day is held each year to help eliminate drunk driving, to save lives, to alert high school students about the dangers of drinking and driving and drugs, and to promote alcohol awareness and peer counselling programs which are organized by the students themselves.

This year, a joint SADD Day will be held by students at Widdifield, West Ferris and Chipewa secondary schools on Friday, June 3. Once again, it is my privilege to serve as honorary chairman. School assemblies are being held. Free bus transportation is provided to students displaying the SADD keychains provided by the municipality. The local Lions Club of West Ferris is involved in helping with their promotion, and many other contributions are being made by local businesses.

It is a community-wide effort organized by students for students, and I commend them. It is more than just a good cause, it is vital, because good friends do not let friends drive drunk. I congratulate today all those students across

Ontario who this week are committing themselves and their friends to a very worthwhile cause.

## AFFORDABLE HOUSING

**Mr. Ballinger:** I wish to address my remarks today to the member for Markham (Mr. Cousens) and his great commitment to affordable housing in this province.

On May 2, the member told this House, and I quote, "There is an increasing constituency of people out there in this province who do not have a home or who have to travel so far from their apartment to their work and their employment that it ceases to make life as meaningful and as good as it could be."

Last December, in a committee of the House, the member for Markham declared, and I quote again, "We have to somehow break through the logjam that begins to open these opportunities for low-rental and new kinds of developments."

I thought the member's words were well intentioned until I came across a recent issue of the Markham Economist and Sun newspaper. The headline on that article, which was based on the member's comments, was "Peterson 'Premature' Pushing Housing Units." The member went on to say, "It's wrong to try to put low-income-type housing into an expensive area."

It is clear that the member says one thing down here in this House and quite another when he returns to his riding. Will the real Don Cousens please stand up?

1340

## ACCESS FUND

**Mr. McLean:** I just want to comment briefly on the program that the Minister without Portfolio responsible for disabled persons (Mr. Mancini) has in the province of Ontario whereby he announces about \$4 million to help people with access in their homes. He said the program will help 87 families.

I have to tell members that that is not much help to people in my area and other parts of Ontario who are looking for it, when there are only 87 people who are going to be helped in an approximately \$4-million program. I say that the minister for the disabled is not doing his job. He is not providing the funds that are needed in the province for these people. I say he should make announcements that are going to involve every part of Ontario.

## STATEMENTS BY THE MINISTRY

## INDEPENDENT HEALTH FACILITIES

**Hon. Mrs. Caplan:** At the heart of our government's commitment to health care in this



province is the belief that many health services traditionally associated with hospitals can be better provided in the community.

More and more people in our province are receiving health care closer to home without ever being admitted to hospital. I have stated frequently that we must move towards broader-based community health care, while at the same time ensuring high quality, accessibility, safety and the best possible use of resources.

Great strides in technology have allowed many treatments and procedures formerly confined to hospitals to be carried out in other settings. With the development of this new technology, the ministry found itself without the appropriate funding and quality control mechanisms that governed and paid for these procedures in hospitals.

We recognize the tremendous potential that new technology holds in moving more health care into the community. At the same time, we must provide a mechanism for funding, planning and monitoring community-based facilities. I am today introducing legislation to achieve these goals.

The Independent Health Facilities Act will provide for the licensing of facilities providing some services which have traditionally been available primarily in hospitals. Funding may be negotiated with the ministry to cover those expenses which would otherwise be covered through a hospital's global funding.

The licensing process, as laid out in the act, will be fair and open. Despite any international treaty or obligation to which Canada is a party and any legislation implementing such an obligation, preference will be given to not-for-profit and Canadian proposals.

The need for new facilities will be determined with the participation of district health councils. The ministry will issue a call for proposals where appropriate. All applications will be reviewed under the procedures laid out in the act.

Once licensed, a community health facility and the ministry may enter into either a global or partial funding arrangement. Global funding would cover the facility's operation, including payment for professional services. Partial funding would cover overhead costs and doctors would be reimbursed through the Ontario health insurance plan on a fee-for-service basis.

The act also gives the Ministry of Health regulatory authority to assess and enforce standards of quality of care at these facilities once they have been licensed. The facilities under the licence will establish an appropriate method for

monitoring and assessing the treatment and care they provide.

There are currently a number of facilities operating where a patient is charged a facility fee; that is, a fee for overhead costs associated with an insured service which has traditionally been performed in a hospital. This act allows these facilities to continue to provide services for a period of one year from the date this bill becomes law. During that time, they can submit an application for licensing under the new legislation. The ministry will assess these applications based on the quality of service being provided, the cost-effectiveness of the facility and the demonstrated need for the service in the area.

This legislation will allow the Ministry of Health to plan for and provide specific community-based services where they are most needed. It will provide further opportunity for program and service expansion of our tremendously successful community health centres, CHCs, and health service organizations, HSOs.

We are also confident that we can use funding incentives under the act to promote and foster for the first time viable expansion of community-based health care in northern Ontario.

This act will encourage a variety of procedures now being done in hospital to be safely provided in the community. As a result, our institutions will be free to direct their expert care to those most in need, which in turn will result in substantial savings and efficiencies in our hospital sector.

The government believes this legislation is pivotal to the new change and direction we are planning for health care in this province.

#### MINIMUM WAGE

#### SALAIRE MINIMUM

**Hon. Mr. Sorbara:** I am announcing today an increase in the general minimum wage to \$4.75 an hour from the present level of \$4.55 an hour. The change will take effect in the work week in which October 1 occurs.

Cela me fait un grand plaisir d'annoncer que le salaire minimum provincial passera de 4,55 \$ de l'heure à 4,75 \$. Mon homologue québécois, aujourd'hui, est en train d'annoncer les mêmes changements dans la province de Québec.

My Quebec counterpart is also announcing today that the government of Quebec will raise its general minimum wage to \$4.75 an hour at the same time. The co-ordinated action of our two governments will ensure parity in the general rates in the two largest labour markets in the country.



In addition, I am pleased to announce that the special minimum wage for liquor servers in Ontario will increase by 20 cents an hour to \$4.25 an hour, and the special minimum wage for students under 18 will increase by 20 cents an hour to \$3.90. These changes also take effect in the work week in which October 1 occurs.

As well, the minimum wage for fruit, vegetable and tobacco harvesters will be increased from \$4.55 an hour to \$4.75 an hour, effective January 1, 1989.

Finally, I wish to announce an increase in the maximum amount that an employer may deduct from minimum wage earnings in return for room and board. Also effective in the week in which October 1 occurs, this maximum will go from \$57 a week to \$59.50 per week.

As has been the case in each of the past two years, these adjustments are in keeping with the government's decision to conduct a regular annual review of the minimum wage in this province.

#### ENVIRONMENTAL PROTECTION

**Hon. Mr. Bradley:** This afternoon I will be tabling the Environment Statute Law Amendment Act, 1988.

This bill is the result of careful examination of three acts which form the basis of our environmental protection programs. They are the Environmental Protection Act, the Ontario Water Resources Act and the Pesticides Act.

The new bill includes amendments which will streamline and clarify hearing procedures and strengthen the decision-making authority of the Environmental Assessment Board. As well, several of the amendments will be aimed at a more efficient use of staff and their time.

The ministry's powers of entry and inspection will also be made more precise in light of developing jurisprudence under the Charter of Rights and Freedoms. This is of particular importance to our enforcement procedures, to make sure they are strong as well as fair.

Consistent with our recent program to expand the use of tickets for minor offences, the bill provides more practical methods to serve such tickets, especially in cases involved in the use of motor vehicles.

The bill also clarifies the ministry's authority to set operating conditions and certificates of approval for facilities which produce air emissions and for water and sewage works. This will strengthen our authority to reduce pollution.

This bill also incorporates housekeeping amendments to correct definitions and references,

remove redundancies and provide consistency. These amendments are designed to ensure our legislation is as strong, fair and effective as possible and they reflect our commitment to clean up the environment.

1350

#### RESPONSES

##### MINIMUM WAGE

**Mr. Mackenzie:** I want to respond to the very generous offer of the Minister of Labour (Mr. Sorbara) to workers of 20 cents an hour more or \$416, I guess, a year, to bring them up to the magnificent rate of \$9,800 a year, which is still well over \$2,000 below the poverty level for a single person in Ontario today.

I am wondering when this minister is really going to do a review of the minimum rates and quit insulting the workers in this province. Why is he in lockstep strictly with Quebec? We have the richest province. We should be taking the lead for once in some area when it comes to labour legislation.

I think 20 cents an hour is an insult. It is not a review. It is a token, pathetic little payout that he has done once a year now for the last two years. The minister should be ashamed of himself. Because I do not want him to be out, I would like to send 20 cents across to him to help him with that increase of 20 cents an hour in the minimum wage.

##### INDEPENDENT HEALTH FACILITIES

**Mr. Reville:** Responding to the statement today by the Minister of Health (Mrs. Caplan), I should note that the minister was kind enough to share her intention with the opposition Health critics several days before the item appeared in the Toronto Star, and here we have it again today in the Legislature.

I am disappointed in the statement the minister has made. There was an opportunity, for instance, to really take a stand to indicate the government's opposition to free trade and to prevent American health care industries from coming into Canada. Yet all this government can come up with is a preference being given both to not-for-profit, on the one hand, and Canadian proposals on the other hand. I really think that is a weak-kneed approach on behalf of the government.

It would be interesting to find out as well whether the Minister of Health subscribes to the opinion of her colleague the Minister of Community and Social Services (Mr. Sweeney) that this legislation is designed to ensure that there will be



only two free-standing abortion clinics receiving funding in Ontario.

Does the government have some plans, after all, to ensure that women in Ontario will really have access to abortion services? Can we expect to see the work of Dr. Powell come back to life? It has been clearly on the back burner for some time now.

The views that community health centres and health service organizations should vastly increase in the province are views that we share and views that we have been urging on this government for a long, long time. Yet the government's ambitions in this regard are so modest as to be somewhat embarrassing. The views are that they want to double the number of people using CHCs and HSOs over the next five years. That will bring it to the grand total of about four per cent of the population. That is not good enough.

**Mr. B. Rae:** I just want to remind the minister that the last time a government expanded the health care system in this way was when the Tory party in 1970-71 brought nursing homes in under the aegis of government insurance, thereby causing an expansion of for-profit care in this province which we have been doing our very best, our level best to try to turn around in the last few years.

But the institutions that have been created in place for our senior citizens are primarily run on a for-profit basis by larger and larger corporations. I say to the minister that because of the weakness of her statement today and the weakness of the backgrounder that she has issued us, I fear that what we are going to see is an expansion of corporate medicine, rather than anything else, as a result of the statement she has made.

If it is for-profit firms that are providing laser technology, if it is for-profit firms that are providing a range of services across the board, then it is for-profit firms that this government is going to be regulating and now supporting with taxpayers' dollars. That is something we cannot support.

I will have an opportunity, I know, to pursue this later on; so I want to give my colleague the member for Etobicoke-Lakeshore (Mrs. Grier) a chance to say a few words about the really outstandingly vague statement made by the Minister of the Environment (Mr. Bradley).

#### ENVIRONMENTAL PROTECTION

**Mrs. Grier:** Of course, we all welcome legislation that is going to be designed to improve existing legislation, but let me point out to the minister that the environmental problems in this

province have not been caused by lack of legislation.

We have had good legislation in this province. What we have not had is strong, speedy, efficient and effective action to implement that legislation and to enforce that legislation. As well as more new legislation, we hope to see more action.

#### INDEPENDENT HEALTH FACILITIES

**Mr. Eves:** I would like to respond to the statement made today by the Minister of Health. I would like to congratulate the minister on discussing this matter with her two critics about a week ago, as the critic for the official opposition has already indicated. I thought that was a very appropriate step for the minister to take.

I look at the creation of facility fees as probably condoning what has been going on in several clinics across the province over the last few years, which is really another form of extra billing. It is a way of passing off administrative costs to the public of Ontario. That actually has been going on since Bill 94 was passed in this Legislature.

I look forward to working with the minister to try to make this piece of legislation a very effective piece of legislation because I think it has the potential to do that. I will say to the minister, in all sincerity, I think the principle behind the legislation is indeed a good one.

I might remind the minister that the standards that she promised to introduce into this House with respect to abortion procedures in Ontario, in light of the Supreme Court of Canada decision in the Morgentaler case, she promised to have laid before the House within a matter of weeks. I believe she said that back in February. It is now June 1988. I presume this legislation will encompass that area as well. The only regret I have is that it was not done sooner than this.

This piece of legislation should be forwarded to a standing committee during the break. I think committee members of all parties of the Legislature should have the opportunity to examine this legislation and its potential in depth, in co-operation with health professionals and others throughout the province, namely, the groups the minister mentioned in her statement—the Registered Nurses' Association of Ontario, the Ontario Nurses' Association, the Ontario Hospital Association and the Ontario Medical Association, among others.

I am sure there could be many other concerned and interested members of the public who have some very valuable points of view to express. I



look forward perhaps to improving the health care system in Ontario through this vehicle.

### ENVIRONMENTAL PROTECTION

**Mrs. Marland:** I would like to respond to the statement by the Minister of the Environment. I find it perhaps almost encouraging that two days ago I asked this minister what he was doing with the 65 per cent increase in his administration and personnel costs.

I see here that one of the purposes behind this new bill is that several of the amendments will be aimed at a more efficient use of staff and their time. I do thank the minister for responding two days after my question with a solution of his overspending in his ministry.

I also hope that where the ministry's powers of entry and inspection will also be made more precise, the minister will make sure we do not end up with a police state and that the enforcement will be strong but fair, as it says in his statement. There is no question that we need enforcement, but I hope it is done the way it should be in a democratic province.

I also want to comment on the issuance of tickets, especially in cases involving the use of motor vehicles. I would feel more encouraged today had the minister addressed the fact also that we should be looking at the kinds of restrictions on automobile engine designs in Canada that would be comparable to those in the United States, because it is a well-known fact that in the United States the automobile makers have far stricter guidelines for designs and emissions that come from automobile engines.

It also says that they will clarify and set out the operating conditions in certificates of approval for facilities which produce air emissions. I hope this means we are going to have new air emission standards, because one of the problems we have had with the discussion of new forms of incinerators to deal with disposal of garbage in the province is that we have an absence of air emission standards for exactly that kind of operation in Ontario.

We shall look forward to seeing the details of this bill when we have the opportunity, and if it does not address the concerns our party has in Ontario, we certainly will be adding amendments to the Environmental Statute Law Amendment Act.

1400

**Mr. Cousens:** On a point of personal privilege, Mr. Speaker: I will put it to use this time, because you might not allow it otherwise. I will

be making a statement in my response to the minister's words on Bill 128—

**Mr. Speaker:** Order.

Interjections.

**Mr. Speaker:** Order. Just a moment, please. That completes the allotted time for ministerial statements and responses. The member has a point of order?

**Mr. Cousens:** A point of personal privilege. I think one's personal integrity has been called into question by another honourable member and I hope he will be listening this afternoon when Bill 128 is debated so I will have a chance to offer a rebuttal.

**Mr. Speaker:** First, I would remind the member that there is no such thing as a point of personal privilege, and often members give differing points of view.

### EARL'S SHELL SERVICE

**Mr. Polsinelli:** On a point of order, Mr. Speaker: Pursuant to standing order 118(b), I would like to inform the House that we have with us today in the public gallery the members from Earl's Shell station. Since Earl has been recorded so often in our parliamentary debates, I thought it would be appropriate to bring his presence to the attention of this House.

**Mr. Speaker:** I must advise the member that is not a point of order. That could have taken place during members' statements.

**Mr. Harris:** I ask for unanimous consent to allow the Treasurer (Mr. R. F. Nixon) and the critics of the two parties to say a few words concerning the type of advice that the Treasurer has been getting from Earl's Shell.

Agreed to.

**Mr. Harris:** The Treasurer has a unique way of making sure he gets the last word in these little treasured moments. I think, though, that it is appropriate that he be given the opportunity at least to say 15 or 20 seconds' worth. I realize it is an unusual request, but they obviously are an unusual group of people to have tolerated this Treasurer for so long. I want to say to the boys at Earl's Shell that during the time they are in the gallery today, the government will spend more than \$10 million, hire three new civil servants and collect nearly \$300,000 in new taxes as a result of the last budget alone.

Interjections.

**Mr. Speaker:** Order.

**Mr. Harris:** I know, because I met them just before lunch, that they do not agree with

everything this Treasurer does, but they do represent part of the process. As humble members, we always remember to provide access and input. I do not think anybody can doubt that, while he may not have listened to the advice, the Treasurer provided the opportunity for input in the advice, and I think they do symbolize that. I welcome them to Queen's Park and wish to say how delighted we are to have them here today.

**Hon. R. F. Nixon:** My friends in the New Democratic Party are gesturing to me. I was hoping they might go ahead.

I appreciate the initiative taken by my honourable friend to give me just a moment or two to welcome my friends from South Dumfries township. He may have had an opportunity to meet them as they were walking down to have a bite of lunch with the Premier (Mr. Peterson) and to advise him on some of the matters of the province. It could be that the quality of government will pick up.

I do not want to dwell on it unduly because a real story could be put forward about each of these people, but I should think Earl himself epitomizes the grass-roots strength of the group that offers budgetary advice on a regular basis as we go in and pay the rock-bottom prices for the gasoline at the pumps.

As Earl indicated, I taught him in Sunday school and I taught him so well he has not had to go back to church since. Besides running the gas station and offering conviviality to his friends as they come by, while his wife has the rural mail route, he is fire chief and he also is the chief gravedigger. Over the years he has looked after all the Liberals and the Tories who have come a cropper in our area, and if there is ever an NDPer passing through who needs his services, I am sure he will look after him too.

**Mr. B. Rae:** I wonder if I did go through, under what capacity I would be greeted by Earl, under these many titles.

I am sure all of us would want to welcome the group from Earl's Shell station. I think everyone here knows it has become a point of reference for all of us in the House and I am delighted that the group that came here today was able to meet with the Premier. I might point out that there have been many other groups that have come, and perhaps one most notably earlier on this week, people who walked here from Hamilton, that the Premier chose not to meet. Of those who did get to meet him, we are very glad he was able to meet with this particular group.

I might add that in reading an article in the Hamilton Spectator recently, a long article about the Treasurer and his relationship with Earl's Shell station, one of the regulars there, who I am sure is in the gallery behind me, is quoted as saying, "Whenever we talk about taxes, Bob just turns a deaf ear." All I can say to that is that experience is one which is widely shared in this place and gives all of us, regardless of political party—and I might say there are more and more New Democrats passing through South Dumfries township every year and we look forward to the day—

**Hon. R. F. Nixon:** Don't slow down.

**Mr. B. Rae:** All I can say is we only wish that the advice which we gave and the advice which was given at Earl's Shell station was followed.

**Mrs. Marland:** I would like to ask unanimous agreement of the House to make a statement about Lou Gehrig's disease.

Agreed to.

#### AMYOTROPHIC LATERAL SCLEROSIS SOCIETY OF CANADA

**Mrs. Marland:** I think just at the outset I would say that it certainly is an indication of the balance of life that we in this Legislature can have the ability to enjoy the humour and the exchange we have just had. I see that as a very positive aspect of all of us serving in this House.

I also know that all of us in this House share concerns for people within the province and within our particular ridings who have problems that are of a severe medical nature. I am speaking as the critic for the disabled for our caucus when I address the fact that during National Access Awareness Week, this week, it is appropriate that we recognize and support the activities of the Amyotrophic Lateral Sclerosis Society of Canada.

**1410**

Tomorrow, June 3, at hospitals and shopping centres around the province, members of the ALS Society will be selling flowers to raise money for research to find a cure for this terrible degenerative disease.

The tragedy of ALS, known as Lou Gehrig's disease, is that while the victim's body and ability to function in society deteriorates, his mind remains strong and clear.

The same issues of access to multistoreyed dwellings, appropriate funding for lifts and elevators and improved research support from the health care system are as applicable to



sufferers of ALS as they are to other disabled persons.

In the late 1970s, two former members of this Legislature, Ron Van Horne and Bruce McCaffrey, served as members of the board of the ALS Society. Their work on behalf of the sufferers of this devastating disease and in support of the disabled in general provides a good example for all members of this Legislature to reflect upon.

It is my hope that tomorrow, on ALS Flower Day, the people of Ontario will join the members of this Legislature and wear the blue cornflower, a symbol of support for the sufferers of ALS and the symbol of hope that a cure for this terrible disease will soon be found.

**Mr. Reville:** I rise as the Health critic for the New Democratic Party to join the member for Mississauga South in extending our sympathy to those people who suffer from Lou Gehrig's disease and our congratulations to the ALS Society for working so hard to improve the information that people have about the disease and to attempt to raise money for research to discover a cure for this debilitating disease.

I know all members of the House are wearing their cornflowers in sympathy and want to extend our best wishes to people.

Members will note from the information provided to all of us by the ALS Society that some of the research is looking at elements in the environment and in diet. I note as well that a couple of the environmental elements that are suspected in this disease relate to lead and mercury.

As the member for Riverdale, and following in the footsteps of other members for Riverdale in the past, we have had a great deal of cause in my riding to worry about lead in the environment. A great many activists have been developed in that area, and elsewhere in Ontario, who are fighting to improve the state of our environment and the health of people in Ontario.

I know that tomorrow and the next day we will be thinking solemnly about people who suffer from Lou Gehrig's disease and will share with them their effort to combat it.

**Mr. Reycraft:** I am pleased to rise on behalf of my caucus to speak in support of the very fine work that is being done by the members of the Amyotrophic Lateral Sclerosis Society of Canada. ALS, or Lou Gehrig's disease as it is much better known, is a very complex but relatively little known disease in this country, yet one with the most tragic of consequences.

While a great many data have been collected about the symptoms associated with the disease

and other matters, the fact remains that we still know little or nothing about the real cause of the disease. We do know that somehow the muscles of the body, for those who are afflicted, do not receive impulses from the brain and, as a result of that, those muscles are not used and gradually grow weak simply from lack of use. Of course, ultimately the disease ends in death, after three to five years in most cases.

We know that the mind and other senses of those afflicted remain sound. We know that much is being done now in the way of research, but there is much more yet that needs to be done. That research cannot be undertaken without much-needed funding. That is one of the objectives of tomorrow's campaign and that is one of the reasons members in the Legislature are wearing blue cornflowers today.

Again, I want to congratulate the ALS Society in Canada for the excellent work it is doing to raise funds for much-needed research and to urge the people of this province to support its fund-raising tomorrow, June 3.

**Mr. Harris:** Mr. Speaker, it is an unusual day today. Could I ask for unanimous consent one more time to talk about Italian National Republic Day?

**Mr. Speaker:** Is there unanimous consent?

Agreed to.

#### ITALIAN NATIONAL REPUBLIC DAY

**Mr. Harris:** It is my privilege to rise on behalf of the Ontario Progressive Conservative Party to commemorate the 42nd anniversary of the Republic of Italy. Members will understand that 42nd anniversaries have special significance for Ontario Conservatives, and to the Republic of Italy, I say welcome to the club.

It was 42 years ago today that Italy became a free and democratic republic, with an end to fascism after two decades of dictatorship. Some might say the people of Italy are still making up for lost time, changing governments every six months or so, but that is healthy; it is democracy in action. I guess my only regret is that it will be some three years before we have the opportunity to do so here in Ontario.

On a serious note, I think it is also fitting to pay tribute today to the contribution of Canadians of Italian descent to our communities here in Ontario. I am not talking about politicians; I am talking about the people themselves. It is fitting to recognize them today because while many Ontarians of Italian descent join in this celebration of Italian National Republic Day, they do so

as Canadians, as proud Canadians and as valued Canadians.

I only have to reflect on the accomplishments and the contributions made by members of the Italian community in my own riding of Nipissing to be reminded how much richer we are because of them. With the exception of a dear old friend, Rocco Lucenti, who was a card-carrying member of my party some 30 years before I was born, I do not want to begin to name names. They have left their marks in business, in our churches, in our clubs, at city hall, at the Davedi Club, on the railway and indeed in every facet of everyday life of our community. In Nipissing and throughout Ontario, we salute them all.

Again, on behalf of the members of my party, I want to pay tribute to the Republic of Italy on its 42nd anniversary. We join with all people of Italian descent in their celebrations of this very historic and very democratic event in their country.

**Mr. Ruprecht:** On behalf of the government of Ontario, I rise for the purpose of recognizing an important event that took place on this day 42 years ago, June 2, 1946, the establishment of the democratic Republic of Italy. June 2 is of great historic significance and sentimental value to our citizens of Italian heritage and to the people living in Italy, not only a country of monumental buildings, famous explorers and noted scientists, but also a trusted friend and an ally, a loyal trading partner and a committed supporter of democratic and civil rights around the world.

We recognize the important contributions Italo-Canadians have made to the cultural and economic development of Ontario and indeed of Canada. Our province has become enriched because our Italian friends on coming here brought with them their love of music, art, architecture and education.

More than that, they have strengthened the pillars of our multicultural society by adding their traditional respect for hard work and family life. We have benefited greatly from their participation in sports, business, professions and, more recently, government and law.

In appreciation of this contribution and in recognition of the special bond of friendship that exists between the people of Ontario, Canada and the people of Italy, the government of Ontario proclaims June 2 as Italian National Republic Day.

1420

**Mr. B. Rae:** Naturally, I want to join very much with our friends in the third party and in the government to congratulate the Italian republic

on its 42nd anniversary. We are, of course, celebrating the emergence of a truly democratic republic after a very long time under dictatorship, but we are also celebrating the contribution of so many Italians to our own national life here in Canada.

On behalf of our party, I want to say how proud I am to join in the celebration and to say just these few words in Italian, so the Treasurer (Mr. R. F. Nixon) will listen carefully:

[Remarks in Italian]

Interjections.

**Mr. Speaker:** Order. The next order of business, I believe, will be—or could I ask for unanimous consent to cut question period in half? No?

**Mr. B. Rae:** As long as we get the half, that is fine with me.

## ORAL QUESTIONS

### INDEPENDENT HEALTH FACILITIES

**Mr. B. Rae:** I have a question to the Minister of Health. I wonder if the minister can confirm that as a result of the act which she is going to be introducing today, commercial clinics operating on a for-profit basis, whatever health service they may be providing will be eligible under this legislation for subsidies from the government of Ontario. Is that the intention of the law which the minister is presenting today?

**Hon. Mrs. Caplan:** We know this act will allow the government to build a better foundation for the kind of quality-assured, community-based services I have been talking about for the past seven months.

Once the need is identified by the district health council or where the ministry has identified the need and asked for the advice of the district health council, the ministry goes out with a request for a proposal. We have stated very clearly that there will be a preference for nonprofit Canadian proposals.

**Mr. B. Rae:** I think the answer to my question is clearly yes.

If commercial firms, whether they are based in the United States or Canada, are in the field or potentially in the field for laser technology—I do not know how many community clinics are going to be providing laser technology in treatment of diseases of the eye and uterus, how many community-based groups are going to be able to get those things together for in vitro fertilization, for cataract surgery, for bladder and heart investigations. Those are being offered on a



North America-wide basis by commercially based companies today.

I say to the minister that what she is doing in effect under this act is precisely what the Tories did for our old people in 1970-71, that is, leaving them at the mercy of commercial operators in the nursing home field who had a cash-for-life guarantee from the government. What the minister is doing with respect to community-based care is ensuring a cash-for-life guarantee to commercial medicine in Ontario subsidized by taxpayers. I say that is not good enough.

**Hon. Mrs. Caplan:** I think it is important for the Leader of the Opposition to note that this act provides an opportunity for the ministry to negotiate individually with the proposer which is deemed to have merit based on the provision of quality services in a community-based setting.

The new technology that has been provided allows us the opportunity to do many procedures in the community which were previously done in hospital. The member mentions laser surgery, but there are other types: radiology; he mentioned in vitro fertilization; cataract surgery; fracture management; bladder and heart investigations.

In this act we have allowed the flexibility to respond appropriately to the best proposals that come forward and we have stated very clearly our preference for nonprofit and Canadian-based proposals.

**Mr. B. Rae:** I say to the minister that her preference is meaningless, given the political economy of health care in North America today. If the minister does not understand that, she is either naïve or else she is in fact passing legislation which she knows full well will principally benefit corporate commercial medicine in this province.

I would like to ask the minister, given that reality, why she would not have presented legislation to this House which clearly states a principle, and that is: "We don't fund for-profit hospitals except for the very few exceptions of the ones that were grandfathered back in the 1960s. If we don't do that for hospitals, why would we be doing something different for community health care centres?"

When she is presented with an opportunity to bring in legislation that is clear and forthright with respect to community care, why would she not say there is no place in this province for for-profit care: not now, not next year, not in the 1990s, not in the 21st century? Why not say that today in the province? Why not say it?

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mrs. Caplan:** I think we have been very, very clear. The intention of this is to establish community-based facilities and to allow the expansion of community health centres and health service organizations.

Further, I think it is very important for the Leader of the Opposition to know the flexibility of the act in seeking out those best qualified, perhaps in joint venture with community groups, because we know our hospitals have tremendous expertise that they can offer in a joint venture with community groups to move services into the communities.

We see this as an innovative and creative approach to ensuring that we have quality-assured services in a community-based setting. I would expect support from the Leader of the Opposition.

**Mr. Speaker:** New question, the Leader of the Opposition.

**Mr. B. Rae:** It really is a black day for those of us who have been fighting for community-based care on a not-for-profit basis across this province. It truly is a black day for those people—

**Mr. Speaker:** Question to which minister?

**Mr. B. Rae:** —and this bill represents that.

#### RENT REGULATION

**Mr. B. Rae:** I have a question for the Minister of Housing. I would like to bring the minister back to earth after the experience—

**Hon. R. F. Nixon:** It was a very good article.

**Mr. B. Rae:** —in the Toronto Star. Yes. What a surprise.

**Hon. R. F. Nixon:** Widely read and respected.

**Mr. B. Rae:** What a surprise, I say to the Treasurer. Truly shocking.

I ask the minister whether she would like to listen to this example of one particular building: 620 Jarvis Street is a post-1975 building. The tenants received notice of a rent review applications for 8.8 per cent in 1985-86, 7.1 per cent in 1986-87, 11.6 per cent in 1987-88 and 12 per cent in 1988-89.

What is particularly interesting about this is that the tenants have still not received notice of what their rents are going to be for 1985-86. They have not received a single confirmation from the rent review tribunal of any rental increases they have been told they are going to get from the landlord.

Can the minister explain how it is possible that we now have four years of rental increases proposed for tenants in this building and they do not have notice even of the first one?

**Hon. Ms. Hošek:** The member is well aware that there is a significant backlog in the rent review offices and he knows what it is there for. The reason it is there is that this government extended protection to all tenants in the province for the first time in December 1986.

I am not happy about the situation the member describes and I would probably be the happiest person in the province if it were not there, but it is. It reflects the fact that the legislation was drafted in a unique way. It legislated us into responsibility for 1985 rents a year and a half after that time. I regret the situation, but we have put enormous resources and efforts into correcting this problem as quickly and effectively as possible.

**Mr. B. Rae:** The minister says, with an unusual overdose of self-reference, that no one would be happier than she if the delays were down. I suggest to her that the people who would really benefit from getting rid of the delays are the tenants of the province. The minister might want to reflect on that for a moment.

I wonder if she can explain how, through the miracle of the rent review law for which she is now responsible, it is possible that the landlord is in fact blaming economic loss when the building has been generating a positive cash flow since 1984. Can the minister explain how it is conceivable that somebody would have a positive cash flow and still be claiming an economic loss?

1430

**Hon. Ms. Hošek:** I do not know the details of that particular building.

**Mr. B. Rae:** Well, I say to the minister that the reason is that the landlord is able to claim, through her law, economic loss from amortization and depreciation, even though he is receiving a positive cash flow. In fact, what we are seeing is landlords who are making money out of a building turning around and saying, "I am still losing on this building," even though its cash value in the marketplace far exceeds what the landlord paid for it.

I wonder if the minister can tell us what she is going to do today to ensure that tenants do not get screwed by this financial loss/economic loss conundrum and what she is going to do to make sure that tenants hear within a few weeks and not

a few years what their rental increases are going to be for any given year.

**Hon. Ms. Hošek:** Four out of five households in this province are now paying rent increases at or near 4.7 per cent. The number of people who are facing this delay know that they are going to have a decision made on the basis of a law which balances the concerns of the people living in the housing with the concerns of making sure that buildings are maintained appropriately.

Indeed, one of the things that our legislation has achieved as a result of the Residential Rental Standards Board is a significant increase in the maintenance of those buildings. Something like 500 landlords in this province have indeed improved their buildings and fixed the maintenance problems that have been there for a long time as a result of the work of the board.

#### VISITOR

**Mr. Speaker:** Before I recognize the next question, I have just been advised that we have another special guest with us today in the lower east gallery. It is Governor William Schaefer of Maryland. Please join me in welcoming Governor Schaefer.

#### HOSPITAL SERVICES

**Mr. Eves:** I have a question for the Minister of Health. As the minister knows, some 96 hospitals, more than half of the hospitals that have submitted their budget plans for this fiscal year, project a deficit for this fiscal year. Yet both she and the Treasurer (Mr. R. F. Nixon) have repeatedly and very clearly said that they will not be funding any hospital deficits in the province this year whatsoever.

Is it not rather obvious to the minister now that hospitals across this province feel they cannot provide essential health care services to the people of Ontario with the base funding she and her ministry are providing?

**Hon. Mrs. Caplan:** The member opposite is wrong. That is not what we have said. The Treasurer was very clear that he will not pick up across the board all hospital deficits.

What I have been saying very clearly and what he agrees with is that our approach is to fairly fund hospitals, to achieve balanced budgets, to make sure that, where we have not approved programs, hospitals are asked to bring those programs in line with ministry approval. I have already acknowledged with St. Mary's General Hospital in Timmins that, where we have approved a program and not adequately resourced it, we will adjust the base budget.



Very clearly, we are not going to pick up hospital deficits across the board but we are going to work with the hospitals co-operatively to lead us to a situation where we have fair funding for hospitals.

**Mr. Eves:** I gather there is a ray of hope in the minister's answer in the Legislature this afternoon. Perhaps she is beginning to understand what the opposition parties have been hammering home for the last three or four weeks.

Just yesterday, the minister was quoted in the Toronto Star as saying: "Treasurer Robert Nixon will not back down from his warning that the government will refuse to cover any hospital's deficit at the end of the year," any hospital in the province. No deficit in this province will be funded. That is what he has repeatedly said.

Is the minister now admitting that she is going to have to increase her base funding to hospitals so that they can provide the essential health care services that the people of Ontario deserve? Is she admitting that in the House today?

**Hon. Mrs. Caplan:** The member is wrong.

**Hon. R. F. Nixon:** Again.

**Hon. Mrs. Caplan:** Again.

**Mr. Eves:** I am not wrong. I have said it repeatedly—

**Hon. Mrs. Caplan:** I have been saying repeatedly in this House that we are not going to be picking up deficits across the board, as was the Conservative practice. The Treasurer was very clear, and I think I have been very clear. We want to work with hospitals co-operatively to help them balance their budgets.

**Mr. Harris:** I wonder if I could ask the minister about two specific examples.

Interjection.

**Mr. Harris:** No, the Minister of Health. The supplementary has to flow from the answer. I have learned that much from the Speaker.

First, will the minister be funding the ophthalmology program at North Bay Civic Hospital—brought in by her government under the underserved areas program—now costing the hospital some \$350,000 to \$400,000 a year, which is the main bulk of its deficit this year, and serving an area from Huntsville to Timmins in the underserved areas?

Second, what about St. Joseph's General Hospital, which presented her with a balanced budget by cutting such items as \$50,000 to implement pay equity, which she has told them to do as well?

**Hon. Mrs. Caplan:** I have said a number of times that we are working with the hospitals on

an individual basis to help them achieve balanced budgets.

## AFFORDABLE HOUSING

**Mr. Cousens:** I have a question for the Minister of Housing. This government has made some 30 different housing announcements in the 30 months since it took office. Some might want to judge it by its words, but we, on this side of the House, instead of judging by its rhetoric, would judge it by its record.

The most recent Gallup poll, which was released yesterday, demonstrates that the people in Ontario are losing confidence in there ever being a solution coming from this government to the housing problems. This afternoon, later on, we will be debating Bill 128, the Planning Amendment Act, which will make housing a matter of provincial interest.

As everyone in this House knows, the amendment is a paper tiger unless the province is prepared to issue a provincial policy statement on housing. Is the minister prepared to release a policy statement on housing, in conjunction with the amendment to the Planning Act this afternoon, or is this, as I say, just another paper tiger, another attempt to blame the municipalities for the current housing problems?

**Hon. Ms. Hošek:** I agree with the member opposite that we must work effectively with the municipalities to make sure that housing gets built in this province that people of all income levels can afford. I remember very well the member opposite saying that we must deal with this pragmatically so we can attack the problem, involving municipalities with the solution.

However, there seems to be someone wandering around Markham representing himself as the member opposite. I think the member opposite should know that someone, some impostor, is walking around Markham and saying things like this: "Mr. Peterson's move of working with the municipalities is premature" and "It is wrong to put low-income housing in an expensive area." I offer the member opposite an opportunity: I will personally go with him to Markham to try to find this culprit.

Interjections.

**Mr. Speaker:** Order.

**Mr. Cousens:** If there is an impostor, I want—  
Interjections.

**Mr. Speaker:** Order. Supplementary.

**Mr. Cousens:** I asked a question that had to do with the Planning Act and I will be dealing with

some of the garbage statements made by the minister when we are dealing with Bill 128.

**Hon. R. F. Nixon:** Garbage statements?

**Mr. Cousens:** They are.

Interjections.

**Mr. Cousens:** Cheer away.

The problem we have is that unless—

Interjections.

**Mr. Speaker:** Order. It would help if I could hear the supplementary.

1440

**Mr. Cousens:** The question we are dealing with has to do with an amendment being made to the Planning Act this afternoon which is adding housing to the list of the 10 priorities the province will have in the Planning Act. What we are asking the minister to do is to give some priority, some element of importance to housing by giving it some kind of significant statement which says it is really going to mean something.

Failing that, I would remind the minister that with housing now being the 10th priority, it really does not have any element of importance in the order of what she is doing. How can she justify this ridiculous public relations gimmick and also the ridiculous statements about me and Markham?

**Hon. Ms. Hošek:** The amendments to the Planning Act today clearly state the commitment of the province to the provision of diverse kinds of housing to make it possible for municipalities to work more co-operatively with the province in this area. Later today, we are meeting with mayors of other major municipalities outside the greater Toronto area to talk with them.

In all our meetings with municipal politicians and regional politicians, we have said that the Ministry of Housing will be coming forward with a policy statement on the matter of housing down the road. In the interim, and also for the long term, the changes to the Planning Act which are being proposed today are going to make a significant difference in our work together.

**Mr. Cousens:** When she talks about going down the road, I know the minister likes to quote from the Book of Ruth. I think that having seen what came out yesterday from the Gallup poll, we are going to need the patience of Job before we begin to get any of the answers we need.

I would refer the minister to the discussion paper that was prepared by Comay Planning Consultants for the Ministry of Housing, a paper that the ministry refused to release publicly. According to this ministry report, housing is a

fundamental provincial interest. "From this it follows," and I quote from the report, "that the government will accept the responsibility to deal with the housing problem" rather than by trying to induce municipalities to take action themselves.

The minister knows the direct route to a solution is through a policy statement approved by cabinet. Will she admit now that to relieve the municipalities of this responsibility is something she should do, and that she, as the Minister of Housing, should begin to take seriously the control and the influence she can have to start making something happen by having a strong, clear policy statement on housing in this province under the Planning Act?

**Hon. Ms. Hošek:** This province has spoken very clearly about our commitment to housing. We have significant resources committed to making sure that nonprofit housing gets built all over the province. We are working actively with municipalities to make sure that we are able to work together better, to get more and different kinds of housing built all over the province to meet a variety of income needs. We are doing that very actively and consistently.

The amendments to the Planning Act today are part of that process. There are many other actions forthcoming that will move us along in this direction, and I am sure we will be able to make a significant difference in the situation of housing in this province all over the province.

I am extremely confused, however, by the statements—

Interjections.

**Mr. Speaker:** Order. Once again, I must remind the members of standing order 24(b): "When a member is speaking, no other member shall"—and I underline "shall"—"interrupt..."

**Hon. Ms. Hošek:** I understand very clearly that in order to do this we must work together with the municipalities, community groups and concerned people all over this province. That is the approach we are taking, and that is the approach we are going to continue to take.

I am very confused by the double signals from the member opposite. Does he or does he not think municipalities have any role to play here? It seems perfectly clear to me that both levels of government, indeed all three levels of government, have a significant role to play. The province is prepared to commit resources, to take action, to plan and to work actively with all three levels and with community groups, and that is the approach we are going to take.



## TENANTS' FIRST RIGHT TO PURCHASE

**Mr. Breauth:** I have a question for the Minister of Housing. It concerns an apartment building in Toronto at 780 Eglinton Avenue West. This building has been sold three times in the last four years and the last time the price increased 84.9 per cent, from \$3.1 million to \$5.8 million.

Is this not an example of an apartment building where, if the tenants had the right of first refusal and the opportunity to put together a nonprofit corporation, they would be in a much better position now, when they are facing once again a double-digit increase in their rent in a building that has already been flipped three times in four years and, without any further protection, is quite likely to be flipped once again?

**Hon. Ms. Hošek:** I think one of the options for tenants in this province and one of the things we think might help in the provision of housing that is affordable is the opportunity for tenants to buy the building they are living in. That is one of the reasons we put \$2 billion into the budget for the creation of housing through the nonprofit method.

We expect that most of that will be done by building new buildings. But one of the options there is very clearly to make it possible for tenants or other nonprofit groups to indeed purchase housing that they would like to live in or that they would like to live in with other people. That is one of the approaches we have actually built into the budget and it is certainly one option to take.

**Mr. Breauth:** This is one of the reasons it is confusing to tenants in Ontario. The minister knows what the problem is and she knows what the solution is. All that is missing is the opportunity. If the tenants had the right of first refusal to get together and offer on their building, if they had a 60-day period to go to all the people who are now prepared to assist them in putting together a nonprofit corporation which could do that, this kind of thing would happen.

The minister seems to understand the problem. She seems to have provided for some of the solutions. There are only one or two small parts that are missing. Why will she not put those two small parts on the table so that it can actually happen?

**Hon. Ms. Hošek:** One of the reasons it is difficult to do this is because of some of the legislation having to do with transfer of ownership in this mode that the member's party had some role in. I should say that one of the things

that concerns me is the suggestions that were made in the honourable member's press release. One of the things that tenants' groups have been telling us is that might lead to a one-time rent increase of perhaps more than 50 per cent. I assume that is not the kind of thing the member would want to have happen.

## EDUCATION FUNDING

**Mr. Villeneuve:** To the Minister of Education: The minister will remember his party's promise, prior to the last election, to increase provincial funding to 60 per cent. Eastern Ontario has been neglected by the minister because this year the province's share will drop by two per cent and the Stormont, Dundas and Glengarry public boards' share will drop by 5.6 per cent, from 48 to 42 per cent or \$2 million less than they got last year. The budget talked about more money. Can the minister explain why eastern Ontario was hit so hard?

**Hon. Mr. Ward:** As the member is aware, this year's general legislative grants, or the amount of provincial funding that flows from the Ministry of Education to the school boards of this province, increased 7.2 per cent. The member makes reference to the specific impacts of this year's grants on boards within his own region. As the member is well aware, various rates of grants to individual school boards exist in this province through an effort to equalize the mill rate from jurisdiction to jurisdiction. He will also be aware that this year the province updated the equalization factors that are used in those calculations in an effort to generate greater equity.

There are a number of impacts on an individual board. In some cases, the provincial rate of support may actually drop to a specific board because of the particular assessment base within that municipality, and in others it will increase. I suggest to the member that he review very carefully the general legislative grant announcements that were made last November and he will appreciate that our commitment to education is increasing and continues to do so.

1450

**Mr. Villeneuve:** The real truth is that GLGs are down right across the province. Out of 12 eastern Ontario school boards, 10 have received reductions and two have had an increase of—get this—0.1 per cent. Outside the immediate Ottawa area, eastern Ontario has the lowest per capita income of anywhere in Ontario. Is this the minister's way of penalizing our taxpayers by reducing their GLGs and by making the taxpayers pick up more of the cost of education?

Will the minister not redress this inequity? The minister speaks of equity. Well, redress this inequity in this budget.

**Hon. Mr. Ward:** The member for Stormont, Dundas and Glengarry is wrong. The increase in transfer payments to school boards, I wish to reiterate, has increased by some 7.2 per cent. It may be that the impact of assessment shifts within board jurisdictions within his area has resulted in a reduction of grant rates, but at the same time, their revenue base may well have increased because of assessment changes.

For the board jurisdictions that have a negative impact as a result of these changes, there are other boards that benefit. The equalization factors in Halton resulted, for instance, in a windfall for that board of an additional \$600,000 and in Hamilton a \$1.5-million positive shift. I merely make the point that our increase in transfer payments to boards was substantially above the rate of inflation.

#### ONTARIO WHEAT PRODUCERS

**Mr. Owen:** I have a question for the Minister of Agriculture and Food. Yesterday the federal Minister of State (Grains and Oilseeds) announced the end of the two-price wheat policy as of August 1, 1988. In the county of Simcoe, we have over 23,000 acres in wheat and it produces 1,183,000 bushels of wheat at a value of \$3.5 million. Now that we are seeing the results of the proposed Canada-United States trade deal, can the minister tell us what effect this federal policy change is going to have on Ontario wheat producers?

**Hon. Mr. Riddell:** The honourable member is quite correct. The federal minister did announce that Canadian wheat producers will no longer be assured a set domestic price for wheat for food purposes. At present, producers receive \$7 a bushel for such wheat and the Ontario Wheat Producers' Marketing Board has stated that the policy provided an income benefit of up to \$45 million a year, every year, to farmers. This new policy will only provide a one-year compensation which will be far short of the income levels that the wheat producers are presently receiving. Indeed, after July 31, 1989, Canadian wheat producers will not receive any special provisions for domestic wheat.

It certainly has been my concern and that of the Ontario wheat board that such policy will no longer allow our wheat producers, both the red and the white wheat producers, to produce the amount of wheat they have in the past. We expect

there will be a real downturn in the wheat production in this province.

We are starting to see the effects of the free trade agreement—

**Mr. Speaker:** Order.

**Mr. Owen:** The farmers in our area have expressed their concern over this, but usually where there is a downturn, there is always held out to us a prospect that there may be an upturn. In this instance, it has been suggested to me that maybe the consumers will be the beneficiaries because of this change in federal policy. My question to the minister is, if the farmers are going to be hurt, maybe the consumers will be benefiting in this province. I would like to have the minister's comment or observation on that.

**Hon. Mr. Riddell:** There is considerable doubt that the consumers will benefit from any reduction in price to the producer. As a matter of fact, in some products wheat will represent only a very small part of the cost of the final product to the consumer. The lack of significant consumer benefits has been very clearly outlined by both the Consumers' Association of Canada and the federal government's own studies. Both those studies indicate that the consumers will realize minimal benefits from the free trade agreement and the reduction in prices to the farmers of this province.

#### INDEPENDENT HEALTH FACILITIES

**Mr. Reville:** Mr. Speaker, I wonder if you would ask the Minister of Health to step into the batter's box.

**Mr. Speaker:** Would the Minister of Health step into the batter's box?

**An hon. member:** Fast ball or curve?

**Hon. Mr. Bradley:** He is probably going to throw a screwball.

**Mr. Reville:** I have a fork ball here.

I would like the Minister of Health to try to hold in her mind four separate themes, if I may. One has to do with continuing and increasing protestations from this government that it is very interested in community health centres and health service organizations. One other event is a statement by the Premier (Mr. Peterson) during a recent election campaign that the number of people served by HSOs and CHCs would be doubled over five years at a cost of about \$10 million. Another event is the kind of bureaucratic speech that was given by the parliamentary assistant to the minister on May 27 in Sault Ste. Marie to—



**Mr. Speaker:** And the question would be?

**Mr. Reville:** I have one more to go yet—the Association of Ontario Health Centres. Then there is this curious statement today about the introduction of the Independent Health Facilities Act on June 2 by the minister herself.

Is the minister expecting us to believe that somehow these events are connected, that somehow the Independent Health Facilities Act and the repetition of words like “community-based facilities” are really going to do much in the way of community health centres and HSOs?

**Hon. Mrs. Caplan:** As a matter of fact, I am really quite excited at the opportunity that this act provides us, because for the first time community health centres and health service organizations will be able to offer services and procedures which before this could only be offered in hospitals. We will have the opportunity to establish quality control mechanisms so that they can expand the services to their communities.

I am very pleased to be able to talk about this act, because it gives us the opportunity to do what we have been saying we want to do, that is, refocus from our institutional bias to our community-based services. This is the framework legislation to allow us not only to plan but to fund, to have quality assurance and to put community-based services in balance in this province as a real alternative to institutional care.

**Mr. Reville:** We would love to see a real alternative to institutional care in Ontario, but it worries me that the minister seems to have no knowledge of how difficult it is for a community group to make proposals in competition with the big health industry toads that are just sitting there waiting to snap up the flies she is offering them. In fact, the amount of money the parliamentary assistant has offered to communities to help develop proposals is so puny that I cannot believe it. I invite the minister to change my mind so that any community proposals will be able to compete with the health industry proposals that are, even as we speak, being tarted up for her approval.

**Hon. Mrs. Caplan:** The critic from the opposition raises a very legitimate concern of mine. I want to make sure that community-based groups and organizations have the kind of opportunities to bring forward proposals that we will be able to approve.

The process is important. It is that we will first identify the need. We will work with the district health councils where they have identified the need so that we will respond. The next step in that is to go out with a request for proposals. That is where I mentioned earlier that I would look very

favourably on the kind of joint ventures which would marry up the expertise from our hospital and institutional sector with the community focus of community-based organizations. I see this as flexible enough to accommodate the kind of innovative and creative approach I have been talking about for these past seven and a half months.

1500

#### EXTENDED CARE

**Mr. Cousens:** I have a question for the Minister without Portfolio responsible for senior citizens' affairs. Earlier today I participated and made a presentation to a group of people on the steps of the Legislature representing persons caring for nursing home residents. They have an ongoing concern that has to do with the inequitable funding for seniors in nursing homes versus those in homes for the aged.

I stand here this afternoon exactly two years to the day when the former minister responsible for seniors' affairs presented his book, *A New Agenda*. He announced in this House that he intended to introduce extended care legislation that would address this inequity. Will the current minister responsible for seniors immediately introduce this legislation and correct this intolerable situation for seniors in this province?

**Hon. Mr. Bradley:** And balance the budget while you are at it, please, and lower the taxes.

**Hon. Mrs. Wilson:** Right.

The differences in funding between homes for the aged and nursing homes is primarily historical. This government inherited three different pieces of legislation under two different ministries, which operate with different philosophies. Each of those pieces of legislation had different standards for staffing, for funding and for quality of care. This government recognizes those inconsistencies. I have been moving to develop a new, improved extended care act which would cover all providers of extended care in the province, both in nursing homes and in the two types of homes for the aged.

To date, I have appointed an advisory committee and have begun several initiatives. The first study announced was the care requirement study. That was information that we never had before on the care that is required by extended care residents. We now have that information and can move forward with a second initiative, which will be to determine differences in programming and funding, so we can now address the funding components in the new legislation.

We are also developing other initiatives in the new—

**Mr. Speaker:** Thank you. It seems like a fairly full answer. Supplementary?

**Mr. Cousens:** What we are seeing are more studies and more consultants' reports. It has been two years today that the minister finally started to look at this problem, and it is an ageless problem. Seniors' policies are covered by more than just the two ministries she talks about; there are three or four ministries. Legislation is spread out all over the place.

I notice from current estimates that the ministry is requesting \$9 million this year, a 100 per cent increase over last year's budget. These are pretty expensive consulting reports on issues that have been known to the government for years. When is the minister going to stop consulting and start acting in the interest of seniors in this province?

**Hon. Mrs. Wilson:** In 1987, \$14.3 million was allotted to nursing homes in the province for new quality-of-care programming. That was part of a \$50-million package which went directly to nursing homes for funding improvements that year. In addition, funding improvements have been made directly to homes for the aged—\$14.3 million last year to municipal and charitable homes for the aged. During estimates this year, we will have the opportunity to discuss that \$9 million, where there are services such as the access fund, the one-stop access pilot project and initiatives in geriatric training, which will go directly from the office for senior citizens' affairs to senior citizens across the province.

#### VOTER IDENTIFICATION

**Mr. Daigeler:** My question is to the Minister of Revenue. I understand his ministry is responsible for preparing and handling the municipal enumeration notices. Recently, I received a letter from a concerned citizen who felt rather strongly that the mailed enumeration notice violates the Freedom of Information and Protection of Privacy Act. He says this notice had not only the previous occupant's name on the form but also that of his spouse and their answers to the previous enumeration.

May I ask the minister whether he has had similar concerns expressed across the province and what his reaction is to the accusation that this violates the protection of confidential information?

**Hon. Mr. Grandmaitre:** I am pleased to advise the chair and this House that this new enumeration program is well accepted through-

out the province. We have mailed out close to 4.6 million enumeration notices and we have received very few complaints. The complaints we have received were of the nature pointed out by my honourable colleague.

It is very difficult to keep track of the moves of the apartment dwellers who do move frequently in this province. This is why these errors are committed on the enumeration notice.

I can assure the honourable member that we monitor the success of this program daily. Certainly, by 1991, when the next enumeration notice will be mailed out, these possible errors will be corrected.

#### FUNERAL SERVICES

**Mr. Swart:** My question is to the Minister of Consumer and Commercial Relations. I want to tell him that I have here his news release of last November 19 which he provided when he was tabling Bill 27, An Act respecting Prearranged and Prepaid Funerals. I want to quote what the minister said in that release: "Door-to-door and telephone solicitations would be banned."

I recognize that refers only to funeral services, but the commercial cemeteries, which now own many funeral homes, have waged a campaign even against that proposal for the funeral services. I want to ask the minister today, has he caved in to them, or will he get up now and repeat that commitment in this House which he gave last November 19?

**Hon. Mr. Wrye:** There are barely 15 minutes to go in question period on a Thursday afternoon. I had been quite disappointed that almost a week had gone by and I had not had a question on the bereavement sector from my friend the member for Welland-Thorold (Mr. Swart).

**Hon. Mr. Bradley:** He can't get on the list.

**Hon. Mr. Wrye:** My colleague the member for St. Catharines (Mr. Bradley) says he cannot get on the list, but I know my friend has always had great priority in the question period briefing. I see my friend the member for Nickel Belt (Mr. Laughren) nodding and I am sure that is so.

I understand the concern the honourable member has. He will note the ban on door-to-door and telephone solicitation in Bill 27 introduced last year. I can only suggest to him that we are aware that is a crucial issue as we bring forward changes to the Cemeteries Act and more comprehensive legislation in the bereavement sector. I can only ask my friend to wait patiently and not too much longer until we bring forward a proposed package of changes to be considered by the House.



**Mr. Swart:** I know now why the minister started off so evasively. He did not want to say he would give that commitment. He knows very well that there is no such ban in the act. It was in his press release that he promised he would ban it and the power is in the act to do it. Now, today, he will not repeat that commitment. I suspected that was the case after his answer to me last week that the decision to ban or not to ban in all sectors of bereavement had not been decided.

I want to remind the minister that last November 19 it was a firm commitment. Is it not true that the minister has now succumbed to the pressures of his friends in the commercial cemeteries sector and his own pro commercial cemetery staff and is going to go along with them all the way in what they want?

1510

**Hon. Mr. Wrye:** My staff and I have been considering, along with the ministry, a series of recommendations to take forward to my cabinet colleagues. I believe we have about completed our review of these matters. They are being put into the appropriate language to take forward to cabinet.

Very clearly, the cabinet of the province will make this decision as we bring forward the first comprehensive changes to the Cemeteries Act in more than three decades and a number of other very important changes to update the whole legislation in this very important sector, which accounts for some \$350 million worth of business a year and is very important to each and every person in this province.

We will be sensitive in terms of the recommendations we take to cabinet, and I am sure, in the recommendations that will flow from cabinet to this House in the form of legislation. I only repeat to my honourable friend that I am sure he will see that sensitivity when the legislation is tabled.

#### ONTARIO LOTTERY CORP.

**Mr. McLean:** My question is for the Minister of Tourism and Recreation. Can the minister explain why the printing of Lucky Match instant lottery tickets, which went on sale on May 16, has been subcontracted by Canadian Security Printers to Dittler Brothers Inc. of Atlanta, Georgia?

**Hon. Mr. O'Neil:** I thank the member for the question. This is a matter, of course, which is decided upon by the Ontario Lottery Corp. It was a matter that was discussed thoroughly and a decision was made by them that this was the best area and the best place to get these tickets.

**Mr. McLean:** That answer is not good enough. For a government that wants to keep its dollars here in Ontario, why is it having printing done in the United States, and it is agin' free trade?

The Ontario Lottery Corp. has tied in with Sunoco for a program whereby an individual can scratch a Wintario stub and win a coupon worth \$1 off a minimum purchase of 25 litres of gasoline. However, this gasoline company sells its product at a price approximately four cents higher than its competitors, so if you buy 25 litres of gasolines from Sunoco you may pay \$1 more than at other gasoline stations, unless, of course, you are lucky enough to have a winning Wintario stub and then you win your gas for the regular price. But their stations may be 100 miles apart. Why was the minister not aware of this price situation before joining Sunoco in this promotion?

**Hon. Mr. O'Neil:** Of course, this was another matter which was thoroughly discussed by the Ontario Lottery Corp. This particular game was put out for tender with all of the different service stations and Sunoco was the company that won this.

I might also tell the member that prices in gasoline do vary and I do not think he will find that variance in all the stations across the province.

#### NIAGARA RIVER WATER QUALITY

**Mr. Dietsch:** I have a question for the Minister of the Environment. The minister will be aware of the report of the 1987 test by his ministry which indicates that the levels of dioxin along the US side of the Niagara River were substantially above results of the tests from the 1985 report. The report identifies sources of polychlorinated biphenyls, mercury and mirex, which are at very high levels. Will the minister inform this House what steps are being taken to reduce the toxic loadings to the Niagara River?

**Hon. Mr. Bradley:** First of all, it is a very good question from the member, who represents a constituency which is immediately adjacent to the Niagara River and is a member who has had a long interest in this subject.

In terms of addressing the problems on the Canadian side of the river, we have a very ambitious program along the Niagara River which includes control orders on companies. It includes directives to companies on manners in which they can clean up their particular effluent and of course, it includes some very significant expenditures on the part of the taxpayers of

Ontario on the upgrading of sewage treatment plants, one of them being in Niagara Falls which has gone to secondary sewage treatment with very sophisticated equipment, and also the Anger Avenue one in Fort Erie.

In addition to that, the member may recall that last year the four parties involved, federal and provincial authorities and state and federal authorities in the US, signed an agreement under which there was a commitment to reduce the toxic contaminants going into the Niagara River by some minimum 50 per cent over a period of 10 years, by 1996.

There have been discussions going on between our four parties, including our American counterparts, on the chemicals to be reduced. Of course, we have suggested that additional chemicals, such as dioxin, PCBs, mirex and mercury be included in that particular list. In addition to that, I met with the commissioner of the Department of the—

**Mr. Speaker:** Thank you. Again, it is a very full answer.

**Mr. Dietsch:** I can understand what the minister is up against, and I would like him to explain to this House when this international bureaucratic red tape can be cut.

**Hon. Mr. Bradley:** Two things: My latest, very recent meeting with Thomas Jorling, the commissioner of the Department of Environmental Conservation of New York state, produced some rather interesting results in that, for years and years, we saw a great resistance to what I refer to as the permanent solution to those toxic waste sites and toxic facilities immediately adjacent to the river. Mr. Jorling indicated in our last meeting that indeed he was interested in and wanted to pursue the permanent solution, which of course we on this side believe is the excavation of those sites.

I am pleased to tell the member and to inform members of the House that the latest round of negotiations, which took place just yesterday, found that agreement in principle was given by the United States team to include 2,3,7,8-TCDD, PCB, mercury and mirex on the list of chemicals to be reduced by some 50 per cent in the initial stage.

Whereas there had been many questions about this, particularly with our American friends, they have now agreed in principle to that. That must be ultimately ratified, of course, but we think this is very positive. We are going to continue our efforts on this side to pursue with our American friends the solutions which must come on the

American side of the river if we are to have a proper quality of water.

#### NIAGARA ESCARPMENT

**Mrs. Grier:** I have a question for the Minister of Municipal Affairs. A couple of weeks ago, I asked the minister about his commitment to the Niagara Escarpment plan and of course received from him a fulsome reiteration that he was totally committed to the plan. As I am sure he understands, the plan says that there shall be a continuous natural environment along the Niagara Escarpment.

Having heard that, citizens and environmental groups that have struggled for years to protect the Niagara Escarpment and thought they had won that battle, were very interested in a speech the minister gave some weeks ago in which he said that tourism and recreation were not the only issues of economic development facing escarpment communities and that “flexibility” must be brought to the task of dealing with them.

He went on to say: “What is the just due of every citizen? I would say it is equal access to opportunity. And we will not have equal access if we would deny opportunities for economic progress which are compatible with the objectives of the plan.”

**Mr. Speaker:** The question, please.

**Mrs. Grier:** Can the minister explain how he reconciles a commitment to preservation of the natural environment of the escarpment with “flexibility” and “economic progress” along the escarpment?

**Hon. Mr. Eakins:** It is quite simple. Flexibility means common sense, and if the plan is going to work, it must mean common sense. We go out and we listen to the people on the commission, to the people who are associated with the Niagara Escarpment Commission, to the members who represent the people along there and we make those decisions. When I referred to the question of tourism and recreation, there are great tourism opportunities that do not affect the plan and that I think can add a great deal to the attractiveness of the Niagara Escarpment.

**Mrs. Grier:** Another fascinating quote in that speech was a rhetorical question asked by the minister when he said: “We must also ask, ‘In what form do we want to preserve the escarpment?’ Do we want an approach which says, ‘Let the weeds grow?’”

I know that beauty is in the eye of the beholder, but can the minister tell us whether his idea of a natural environment and beauty on the escarpment is condominiums among the weeds?



**Hon. Mr. Eakins:** Of course not. While the member is talking about the weeds growing, we want the escarpment to be attractive to everyone. It is one of the unique facilities in this world and we are committed to keeping the escarpment in that condition. Let me tell the member that.

1520

### SERVICES FOR THE DISABLED

**Mr. J. M. Johnson:** My question was for the Minister without Portfolio responsible for disabled persons (Mr. Mancini), but since he is not here I will ask the Minister without Portfolio responsible for senior citizens' affairs. This is National Access Awareness Week: "Partners in community action with disabled persons." June is also Senior Citizens Month. I would then think that the minister would feel compelled to ensure that every disabled senior citizen in this province had access to his own home.

Does the minister realize that we have disabled seniors living in government-supported senior citizens' apartment buildings who are being denied access to their own homes?

**Hon. Mrs. Wilson:** Of course, when this is Senior Citizens Month, the month of June, I think everyone across the province, both in government and in community organizations has an increased awareness of seniors and the sorts of lifestyles they live. I think that bringing the awareness through a special month for seniors gives individuals and communities the opportunity to assist seniors to remain in their own homes, and certainly access to their homes is tremendously important.

Seniors who have lived in two-storey buildings for a number of years and who may be frailer now than they were at the time they went into those buildings do deserve special consideration to gain access to those second floors of buildings.

**Mr. J. M. Johnson:** I would like to thank the minister for considering the part I was concerned about; that is, elevators for senior citizens' apartment units.

In Meadow View Place in Hillsburgh, which is a senior citizens' home, Mrs. Erma Allan could not come home for several months after knee surgery. Mrs. Clair Thompson broke her hip and was unable to return to her home for a year. I do not think that is acceptable and I think the government should be concentrating on providing elevators for those units.

The Minister of Transportation (Mr. Fulton) announced \$50 million for the disabled. I think the minister is responsible for making sure that

our seniors have elevators in senior citizens' apartment units.

**Hon. Mrs. Wilson:** I would just tell the honourable member that I do have the opportunity, as minister responsible for senior citizens' affairs with a mandate to co-ordinate programs for seniors across the government, to work very closely with other ministers who are involved in programs that could benefit senior citizens. I appreciate his comments and certainly want to let the honourable member know that I do take those things into consideration when I work very closely with the other ministers. The co-operation I am getting across the government is tremendous and I am very appreciative of that.

### PETITIONS

#### TAX INCREASES

**Mr. D. R. Cooke:** I have a petition with 92 signatures on it that I have received with no address and no return signature. I give that caveat. It simply indicates opposition to the provincial sales tax and personal tax.

#### RETAIL STORE HOURS

**Mr. Mahoney:** I have a petition: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, appreciate the fact that the government of Ontario will be holding public hearings regarding the issue of Sunday shopping. We request that these hearings be held in centres throughout the province, including Mississauga."

It is signed by 30 people and I have added my signature thereto.

#### NATUROPATHY

**Mrs. Marland:** I have three petitions here: "To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"I want naturopathy to continue to be regulated in Ontario, and we ask for support of this position.

"Ontario should safeguard alternatives in health care. To this end, naturopathy should remain regulated. Deregulation would remove current safeguards for the public and might drive naturopaths from this province."

I have three people who have expressed a similar opinion, Andrea Gopp on Tallberg Court, Susan Van Der Rassel—

**Mr. Speaker:** Thank you very much. It is not necessary to read the petitioners' names, as you are well aware.

## REPORT BY COMMITTEE

### STANDING COMMITTEE ON PUBLIC ACCOUNTS

Mr. Philip from the standing committee on public accounts presented the committee's Special Report on the Estimates Process and moved the adoption of its recommendations.

**Mr. Philip:** This special report concludes that the estimates process in this House is ineffective and without substance.

The report makes a number of proposals for reform, including the establishment of a standing committee on estimates with adequate research backup to review the estimates of at least six ministries a year in depth. The report also deals with the relationship between the public accounts committee and the proposed standing committee on estimates.

The auditor had noted that nonapproval of any part of the budget or estimates is taken as a vote of nonconfidence in the government. The committee also shares the auditor's concern that this weakens the Legislature's control over expenditures and detracts from a back-bencher's feeling that he or she has input into the workings of the government.

To address this concern, the committee has recommended that the proposed estimates committee be given the power to recommend reallocation of funding within each vote.

These proposals, if adopted, would lead to greater accountability. I urge all members to read the report.

On motion by Mr. Philip, the debate was adjourned.

## INTRODUCTION OF BILLS

### INDEPENDENT HEALTH FACILITIES ACT

Hon. Mrs. Caplan moved first reading of Bill 147, An Act respecting Independent Health Facilities.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion, the ayes have it.

Motion agreed to.

### ENVIRONMENT STATUTE LAW AMENDMENT ACT

Hon. Mr. Bradley moved first reading of Bill 148, An Act to amend Certain Acts respecting the Environment.

Motion agreed to.

**Hon. Mr. Conway:** Before moving to the orders of the day, I would just like to seek unanimous consent to make a brief business statement so the House will be apprised of what it is we have agreed to discuss today.

**Mr. Speaker:** I would be delighted to hear it also.

Agreed to.

## BUSINESS OF THE HOUSE

**Hon. Mr. Conway:** Mr. Speaker, I am delighted to be able to share very briefly with you the business that we will transact this afternoon, Tuesday, June 2.

The first order of business, by agreement, is the sixth order, second reading of Bill 5, followed by the eighth order, second reading of Bill 7. We will then move to the 39th order, second reading of Bill 126, standing in the name of the Minister of Revenue (Mr. Grandmaitre). Then we will conclude this afternoon by dealing with the fourth order, the resumed budgetary debate.

## ORDERS OF THE DAY

### PROCEEDINGS AGAINST THE CROWN AMENDMENT ACT

Mr. Offer, on behalf of Hon. Mr. Scott, moved second reading of Bill 5, An Act to amend the Proceedings Against the Crown Act.

**Mr. Offer:** This bill will make it easier for people in Ontario to collect money they are owed by public servants or by those who do business with the crown.

These amendments complement the bill passed by this House in 1983 and permit the establishment of administrative procedures which will allow notices of garnishment to be served on the crown. Thus, someone who has obtained a court judgement against a public servant or a government supplier will be able to use the same garnishment remedy which is available for use against all other persons.

1530

**Mr. D. S. Cooke:** Actually, the parliamentary assistant stole my speech. I think it comes from the explanatory notes. Our critic for the Ministry of the Attorney General is unable to be here today. I have discussed this bill with the member for Rainy River (Mr. Hampton) and certainly agree with the intent of the legislation. I think it is appropriate that there should not be special privileges for crown employees when it comes to these matters.



We will be supporting the legislation this afternoon. As always, the opposition parties say, "Too little, too late," and that would apply to this piece of legislation as well.

**Mr. Sterling:** I guess the one disappointment we have with this particular piece of legislation is the fact that it is a recognition that special proceedings are necessary when dealing with a crown employee, yet we do not allow special proceedings when we are dealing with other large bureaucratic bodies.

For instance, in this particular case, when you are dealing with a situation of an employer of some 85,000 or 90,000 employees, we say there is a special duty on the creditor to find out exactly where that debtor is working and to go and serve that particular section of the government, where—as if, for instance, a person worked for a very large corporation in Ontario, and I will not pick any particular name, a garnishment proceeding would be legal, as far as I know or think, as long as the head office was served with the garnishment papers. It would be up to that particular private corporation or whatever body that might be to make certain that the garnishment was carried out.

So we are asking for a greater onus on the private sector out there than we are on the public sector. Notwithstanding that, I and my caucus are willing to support this piece of legislation, because at the present time there are limited rights for creditors. I am thinking particularly of people dealing with family court orders, where they are trying to collect on family court orders and the present proceedings against certain employees who are employed by crown agencies cannot be garnished under the imperfect 1983 act.

We are going to support this. But what I would have liked to have seen in this act—and I hope the parliamentary assistant would take it back to the Attorney General (Mr. Scott); I am not even going to put this to committee of the whole House to ask it—would have been something similar to what we put in the Freedom of Information and Protection of Privacy Act; that is, an obligation on the party receiving the garnishment or the execution to pass that on or direct the garnishor to another source or a proper source.

What I think this act does is say that if you are served wrongly or an agency or ministry of the government is not the agency under which that particular employee falls, then they can wash their hands of it and walk away from it. That throws it back on the private citizen.

While that may be satisfactory for some, if we think about the enforcement of a debt owing to someone living in another province or another country—I am again thinking particularly in the domestic area—then it may be very difficult for them to track down where in fact that employee is working or what agency he is working under. What the government is asking is that the public have a greater knowledge of the structure than the bureaucrat so that it can find out who it is supposed to serve.

What I would like to ask the parliamentary assistant is for him to undertake to at least canvass the idea with the Attorney General as to whether he would be willing to put under this particular act, at a later date, a requirement on the parties served to do as is required under the freedom-of-information act, that is, refer the server to some other source or some other area where in fact he may find this particular employee employed.

**Mr. Offer:** First, I would like to thank the member for Windsor-Riverside (Mr. D. S. Cooke) and the member for Carleton (Mr. Sterling) for expressing their support for this legislation. At the outset, I will say to the member for Carleton that the suggestion which he has made with respect to canvassing that at the Ministry of the Attorney General shall be taken back to the ministry.

In response, I would like to indicate that this particular amendment deals with a situation in which members or crown employees have been dealt with in a manner inconsistent from that in which other debtors are dealt with and treated. In fact, I believe it is fair to say that the perception by the public is that this is an unjustified privilege, and this particular amendment is designed to do away with that which has happened in the past.

With respect to the concerns which have been raised primarily by the member for Carleton with respect to why this is really necessary, we have to realize that the size and complexity and the lack of centralization of the government hiring and purchasing distinguishes the crown situation from that of individuals and companies in the private sector.

We believe that this particular amendment comes to grips not only with what is viewed by the public as being an unjustified privilege to crown employees but also meets the very real situation in that the complexity, size and decentralization of government still must not be viewed as a burden in not being able to have this type of amendment. That is what this amendment



is designed to achieve and we believe, through the members' support, will in fact achieve.

Motion agreed to.

Bill ordered for third reading.

1540

## INTERNATIONAL COMMERCIAL ARBITRATION ACT

### LOI SUR L'ARBITRAGE COMMERCIAL INTERNATIONAL

Mr. Offer moved, on behalf of Hon. Mr. Scott, second reading of Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law.

M. Offer propose, au nom de l'hon. M. Scott, la deuxième lecture du projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international.

**Mr. Offer:** Arbitration is a common way of settling commercial disputes. However, an ongoing concern among parties to such arrangements is whether the decision will be final or whether the losing party will be able to persuade the courts to review the decision.

This bill implements the United Nations model law on international commercial arbitration, the result of several years of work by about 55 countries, including Canada. It will strictly limit the power of the courts to intervene in an arbitration decision in international commercial transactions. This will make Canada a desirable place to have such arbitrations take place.

The bill also establishes rules for the conduct of international arbitration, although the parties of course will be free to agree upon changes to most of the rules if they so choose.

It is important to emphasize that no one's rights are being affected. No one is forced to agree to have the disputes handled by arbitration, but this bill will ensure that when such a decision is taken, there is a high degree of certainty and finality to the process and decision.

**Mr. Sterling:** I would only indicate our support for this particular act. Our federal Parliament passed this act in May 1986 and it was proclaimed in August 1986, and therefore I think it is important that the provincial government, in dealing with any matters within our exclusive jurisdiction, follow suit.

I only find it passing strange that we are going through the same argument with regard to

another number of pieces of legislation in the federal Parliament and would only add that this one is not causing a constitutional confrontation for some reason. This is an example where governments can get along, can in fact pass legislation when there are two areas of jurisdiction involved.

The other thing I would like to point out is that this is an example that whenever you are involved in free trade or trade arrangements, be they multilateral with other countries or bilateral with one country, as with the free trade agreement, you are subjecting yourself in this particular case to a court or a process which may not be based here in Ontario or Canada. Once you realize that you are transferring yourself from a domestic market into an international market, you give away a small piece of what we would call sovereignty. That is basically what this piece of legislation does.

Therefore, I find it passing strange that this government, in many of its arguments, has worried so dramatically about the loss of sovereignty it is going to give away under the bilateral trade agreement and the legislation that is involved with the United States, whereas we have not heard any cry about the fact that foreign arbitration awards would not be able to be attacked by a litigant here in Ontario through our Canadian courts.

**Mr. D. S. Cooke:** Very briefly, we have also reviewed this legislation and will be supporting it. I must say that I think the member for Carleton (Mr. Sterling) is stretching it just a bit to talk about this bill in the same terms as the Mulroney-Reagan trade deal. I can assure you, Madam Speaker, that if this bill had any implications along the same line as the federal legislation to implement the trade bill, our party would not be supporting it and there would be a little more discussion in the Legislature this afternoon than there is on Bill 7.

We will be supporting this bill because all the implications the member for Carleton seemed to indicate about this bill are not, in fact, going to occur and therefore we feel we can support this bill.

**The Acting Speaker (Miss Roberts):** Would any other honourable member wish to comment on the remarks just made by the member for Windsor-Riverside? The member for Carleton for two minutes.

**Mr. Sterling:** I would just like to say, Madam Speaker, I disagree with the member for Windsor-Riverside.



**Mr. D. S. Cooke:** Madam Speaker, it is not the first time.

**The Acting Speaker:** Would any other honourable member wish to participate in the debate?

**Mr. Offer:** Just to reiterate, this particular act, first, encourages international commercial arbitration and, second, it is designed to keep the courts out of the arbitral process until enforcement, and their discretion is strictly limited. It has no other bearing on any other issue, but rather on those two very specific and very real purposes, both of which are met in a very concise manner in this legislation.

Motion agreed to.

La motion est adoptée.

Bill ordered for third reading.

Le projet de loi passera à l'étape de troisième lecture.

#### PARLIAMENTARY LANGUAGE

**The Acting Speaker (Miss Roberts):** Before we continue, I have had an opportunity to review the remarks that were made by the member for Cochrane South (Mr. Pope) on Wednesday in this House. The determination as to whether the words used in the House are offensive or disorderly rests with the Speaker, and the Speaker's judgement depends upon the nature of the words and the context in which the words were used. I appreciate the co-operation from the member for Cochrane South. I have reviewed my decision on that day as well, and I appreciate the co-operation of all members in keeping orderly conduct in this House.

#### ONTARIO HOME OWNERSHIP SAVINGS PLAN ACT

Hon. Mr. Grandmaitre moved second reading of Bill 126, An Act to assist Ontario Residents to save for the purchase of a First Home.

**Hon. Mr. Grandmaitre:** The Ontario Home Ownership Savings Plan Act of 1988 is designed to implement a program announced by the Treasurer (R. F. Nixon) in his budget of April 20 of this year.

The Ontario home ownership savings plan provides tax credits to assist eligible Ontario residents to save for the purchase of their first homes. These tax credits will be made available to individuals with net incomes of less than \$40,000 and married couples with net incomes of less than \$80,000. Tax credits will be allowed up to and including the 1997 taxation year.

I will be proposing amendments to Bill 126 that will ease the administrative burden of financial institutions and ensure the timely release of OHOSP funds for purchasers of new condominium units. Copies of the proposed amendments will be distributed to honourable members.

#### 1550

**Ms. Bryden:** The purpose of Bill 126 is presumably to provide tax credits for people saving to buy their first home. The bill, as the minister has told us, provides for a maximum refundable 25 per cent credit on contributions up to \$2,000 a year for individuals or up to \$4,000 a year for couples. The maximum credit is available only to persons earning less than \$20,000 a year and completely disappears if individual income exceeds \$40,000 a year. The bill allows contributions to the Ontario home ownership savings plan, otherwise known as OHOSP, for up to five years. The government estimates that OHOSP will benefit 150,000 families and will cost taxpayers \$50 million a year.

This bill is just too useless to be taken seriously, and no amount of amendments could make it a valuable tool for assisting first-time home buyers.

To give just a couple of examples of the bill's futility, the average resale house in Metropolitan Toronto costs now about \$224,000 and requires an annual income of over \$66,000 to finance, assuming the purchaser first comes up with a down payment of nearly \$35,000. Yet the maximum credit is available only to individuals earning less than \$20,000 a year or families earning less than \$40,000 a year.

For families at the upper end of the income scale—from \$60,000 to \$80,000—who are eligible for tax credits and can barely afford an average-priced home in Metro, the tax credits over the five-year period would be rather minimal. For example, if a family earning \$60,000 a year finds a home for \$200,000—this assumes house prices will freeze in Metro for the next five years—the family's tax credit will be \$2,500, if it is fortunate enough to be able to save \$4,000 a year. This \$2,500 saving not only represents a meagre 1.25 per cent off the sale price, but it also represents only five per cent of the \$50,000 down payment required for the \$200,000 house.

Moreover, there is no indexing of the income limits in the bill. Like so many other tax credits introduced by this government for a variety of purposes, without indexing, the credit is soon



eroded, as inflation raises dollar incomes but does not raise real incomes. Very shortly, the bill will be even less effective and even fewer people will qualify.

The bill will do nothing to help prospective first-time home owners acquire a house, since most of those eligible could not meet the down payment and mortgage obligations in the major housing markets in the province, even with the tax credit. They have already been priced out of the market.

The plan is estimated to cost taxpayers \$50 million a year. This may be low if administrative costs balloon in efforts to stop the kind of tax evasions, ripoffs and fraudulent applications which plagued previous subsidy schemes of this nature at both the provincial and federal levels to first-time home buyers.

I was a researcher here during one of the early Progressive Conservative plans of this nature. Evidence came out after the plan was in effect for some time that many people had signed a statement that they had never owned a home before and the statement was completely false, but the minister had very little facilities for checking those statements and so they just accepted the applicant's word. Others used the plan—it was not a credit at that time; it was a tax savings plan—as really a tax evasion method or as a method of shielding income from tax.

I am afraid that if we look at this piece of legislation and its origin, we really see that it is a pie-in-the-sky election promise—which came from the Liberal Party during the last election and, I think, from the Premier (Mr. Peterson)—that a first-time home buyer's tax credit would be a great thing and a great way to help people obtain their own homes.

Then a rather unusual situation occurred in this House. A month or two before the budget was due to come down, the Minister of Housing (Ms. Hošek) was allowed to announce to the press that such a plan was going to be in the provincial budget due in a couple of months. As we all know, nobody is supposed to know what is going to be in the budget before the budget comes down, so this was a rather unusual announcement. Presumably, it was okayed by the Treasurer and by the Liberal government.

It was really a desperate attempt by the Minister of Housing to produce something concrete as the answer to the growing housing crisis, something more concrete than what she used to call long-term strategies, which was her answer to any questions such as "What are you doing about housing?" in the first six months

after the new government came in. Now we are not sure what the answer is because the long term is beginning to approach and we still do not see what the strategies are.

I am also concerned about the fact that the prospective home buyers, who are supposed to be saving \$2,000 to \$4,000 a year, are currently tenants. Unfortunately, these current tenants will not be able to save as much money as they would have hoped because of the Liberal government's new rent review law, which is forcing tenants to pay rent hikes of two, three or four times the rate of inflation. Many of them have not had their rent review applications processed, so they do not know whether to pay the rent demanded by the landlord and cut their income very low and leave no savings for participating in this plan, or whether to pay their current rent when they may face a huge hike once the rent review process evaluates the landlord's application and makes an award. Tenants really have no disposable income to put into this because they have to keep their disposable income for potential rent increases which appear to be at a very alarming rate, far beyond the rate of inflation.

A more effective strategy would be to spend the money on new nonprofit housing and to bring in an effective property speculation tax. In fact, the administrative costs required to enforce a property speculation tax would be far less than the \$50 million which this plan is estimated to cost at a minimum. It would do a great deal more to end the escalation of the housing crisis which is now going on in Metropolitan Toronto, Ottawa, Hamilton, Brampton and major urban centres.

#### 1600

We in this party consider this policy approach a farce. As I have said, we wish the government had chosen to spend its money on new nonprofit housing and to bring in an effective property speculation tax. Since they have resisted our suggestions to do this so far, we had to decide whether to vote against the bill or try to amend it.

We concluded it was not amendable because it is so ill-conceived. We decided we should perhaps reluctantly support it because it might benefit a few first-time home owners in some parts of the province where housing prices have not risen at such an extreme rate as they have in the major urban centres or where some people who are having trouble finding the down payment for a house might conceivably qualify in some parts of the province.

We have decided that in the event the Liberal steamroller insists on backing up the minister in



this ill-conceived initiative, we will not oppose the legislation, in the hope that it will indicate we are sympathetic to the needs of the first-time home owners, but we would have liked a different solution to their needs.

**Mr. Harris:** Let me say the good things first. I want to applaud the minister for bringing in a bill that expires in five years. This program, which is a new expenditure program, has a built-in sunset clause already in it. I recall that this was the same minister who was wearing another hat last year, I believe before Christmas, when I moved an amendment to one of his bills—I forget which—to put a sunset provision in it. I applauded him at that time for accepting the amendment and I applaud him this time for anticipating I might move a similar amendment if he did not have it in his legislation.

I point that out because I have commented on sunset provisions on new programs that very often are brought in with a specific purpose or intention. Sometimes there is a very laudable goal at a certain economic time in a province's history, and when that economic situation changes, there is no need for the program any longer. It quite properly should receive a review, and if that is the case, that program should not carry on.

As well, very often, very well-meaning ministers and very well-meaning drafters of legislation attempt to put a bill together to address a certain problem and it does not work as it was intended or it causes more problems than it solves. We all have seen examples of that. We have all been victims of that. Well, maybe not "we all," but those of us who have been involved in government as well.

I think it makes a lot of sense. I condemn the Premier and the Treasurer for rejecting the prebudget proposals I brought forward which would have required a mandatory review of new programs that are brought in and a look at existing programs and spending mechanisms we have in place now, and I condemn the Liberal members of this chamber who voted against my private member's resolution suggesting that this should be the case.

I cannot remember whether the minister was in the chamber during my private member's bill. He probably had to stay out because his colleagues were opposed to it. This minister is the only one who has shown the good sense, in my view, to say, "Yes, we should take a look at this in five years and see if what the opposition is saying now is true, that it is really not going to do very much, or the situation may have change in that time and

the program should be changed, modified, scrapped or whatever." I applaud that part of the bill.

I think the fact that the Minister of Housing is not in this House while this bill is being debated is very reflective of what this bill will accomplish for housing in this province. I do not blame her for being too embarrassed to be in the House while this bill is being debated even though it is a bill which, while it is a revenue bill, let's face it, is a housing bill. It is brought in to help solve one aspect of a housing problem. I want to associate myself with some of the remarks the member for Beaches-Woodbine (Ms. Bryden) made. She would probably concur with me that the Minister of Housing is probably a little too ashamed and embarrassed to be in this House to lend her support to the minister who has to carry this rather abominable piece of legislation.

We will not oppose the legislation, primarily because I think it will be of some assistance, but mostly in those areas which do not need it or need it far less than those areas which do need help. My colleague the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) and I spent a considerable period discussing whether we should support or oppose this bill. He informs me, on behalf of his constituents, that there may be some people in his area, mainly due to the low income of a number of people, lower house prices and less economic activity there, who may be able to benefit from this program. For that reason alone, I am going to support the legislation.

But let me say there will be some people in the riding of Nipissing—I am not so sure about the city of North Bay proper any longer, where house prices have risen rather significantly, but not near the Toronto problem—certainly in many of the smaller communities in the riding of Nipissing, in some of the rural areas and perhaps in North Bay itself to a lesser extent, who may be able to take advantage of this program.

We will not oppose the legislation, but I would like to say that in those areas where the real housing crunch is, where the real problems are, this bill is virtually useless and will do nothing to provide assistance there.

If you are the Minister of Housing or if you are interested in solving housing problems, I am not sure it makes a lot of sense to the public, and I do not know why it would make a lot of sense to the members of this chamber, to tackle the area that least needs help first as opposed to the area that needs most of the assistance, where the problem



is the largest. The logic of that escapes me. Perhaps it is logical to some.

I do not expect the Minister of Revenue (Mr. Grandmaitre) to try to sell this too much. He has a job to do. The Treasurer, the Premier and the Minister of Housing got together and foisted this on him and he has the unfortunate task of having to carry this thing forward. My sympathies go to him.

1610

Perhaps the sunset clause he put in is an admission on his part that, "Look, the thing's not going to work, but I have to carry it anyway." At least in five years they will have look at it again and not carry it forward.

**Mr. Villeneuve:** Is that the reason?

**Mr. Harris:** I have already applauded him for that. I did not get into too many of the reasons.

**Hon. Mr. Grandmaitre:** What did you have for lunch?

**Mr. Reycraft:** John Crosbie.

**Mr. Harris:** No, I missed John Crosbie at lunch today. I had an enjoyable lunch. I met with him and had a little chat with him, but two minutes before he was to get up to speak I had to rush back and be here in this Legislature, so I missed the speech. I am sure it was excellent.

I want to talk about a whole bunch of things the government could have done that would have been far more meaningful. When we are talking about affordable home ownership and the problems—particularly in the Metro Toronto region, but all over—we should look at some of the things this government has done that have driven the price of housing out of sight.

Somewhere in here I have a little section on the land transfer tax, if I can find it, something that we talked about when the massive increases in land transfer taxes were brought in in 1985.

Somewhere here it tells me exactly how much that has added to the price of a home—

**Mrs. Cunningham:** It is \$3,200 in Metro.

**Mr. Harris:** —in Metro. So the average home in Metro, as a result of budget increases this government has brought in, just in the land transfer tax increase, costs \$3,200 more than it did before 1985.

That was the 1985 budget. Let's talk about the 1987—

**Mr. Polsinelli:** You might explain how it costs \$3,200 more.

**Mr. Harris:** You increased the taxes that much so that when the home sells, that is what the increase is.

Let's take a look at this budget. The one per cent increase in sales tax on the cost of constructing a new home: \$2,000.

Oh, yes, here is the bit on the land transfer tax. Let me correct the record. It is \$355.60.

**An hon. member:** That is quite a difference.

**Mrs. Cunningham:** I thought you were talking about the increased cost of a house because of higher sales tax.

**Mr. Harris:** Let me, in the interests of making sure that everything I say is entirely clear and understood, indicate that \$355.60 is the increase on the average new home in Metro as a result of the increases in the land transfer tax. The one per cent increase in the sales tax adds \$2,000; the impact of an application of the eight per cent retail sales tax rate now on ready-mixed concrete and asphalt, \$900.

So the total cost increases from those three things alone—the eight per cent is brand-new on all concrete, on premix, on asphalt; it was zero before and now it is eight per cent—are \$900 on an average \$200,000 house, and that is the average price that is now being used in Metro. So it is \$3,255.60 as a result of budget increases alone.

It would have made more sense, in my view, to not have applied those taxes than to bring in this program. That would have benefited all areas of the province. It would have made a significant benefit for home ownership here in Toronto.

Before government members pat themselves on the back too much about this program which is going to help home buyers, it does not come anywhere close to correcting the imbalance of the cost increases that those three budget changes have made. That does not count sales tax costs on furnishings, that does not count equipping their new home; that is just the home itself.

The other thing that is interesting is this government's opposition and determination—on some days, anyway—to try to thwart the free trade deal. The federal Department of Consumer and Corporate Affairs has estimated implementation of the agreement would result in a saving of between \$5,000 and almost \$8,000 on the cost of establishing a typical household. Does the government think this program is going to compensate up to \$8,000? If you put that in with the tax increases, now we are up to \$11,000 in measures that this government purports to support.

I do not want to be too repetitive. I think the member for Beaches-Woodbine has pointed out the fact that the program really does not apply in Metro Toronto. It just does not make much sense there and I think government members would



acknowledge that is the case. I say to the minister if, five years from now, house prices drop in Metro Toronto by \$100,000 a home—and the way this government is carrying on, a major recession may be around the corner—then at that time we may say: “Let’s keep this program going. All of a sudden, it’s relevant.” However, only time will tell what comes forward with that.

The program is irrelevant in the areas that really need the help. It in no way comes close to compensating for the massive tax increases and what that has done to the price of housing. The member for Stormont, Dundas and Glengarry tells me that. What is all that stuff?

**Mr. Villeneuve:** The administration fees.

**Mr. Harris:** Administration fees, yes.

**Mrs. Cunningham:** That’s the amendment.

**Mr. Harris:** Oh, all right. We will talk about that when we get to the amendments. Where was I? I have lost my train of thought. It must be Thursday.

The program comes nowhere close to making up for other changes this government has made which have contributed to the very high cost of housing. That is not talking about some of the other things the government has not acted on. The federal government, we understand, is taking a look at real estate fees. I do not know if there is a problem there, but it is \$13,400, I am told, on the average house in Metro Toronto—not a bad fee. I guess five years ago, maybe less, the average price was \$100,000. That fee, then, has doubled.

The speculation going on—which the New Democratic Party has certainly raised far more than our party because, philosophically, it is opposed to anybody making any money—in the case it brings up, is a fair example. We know that speculation has increased substantially. I guess the only area in which I concur with the New Democratic Party is when the government gets into the speculating business itself.

I do not think that is what governments are for. I think that is wrong. I do not think government should be speculating in the land market. I have some difficulty with the blanket remedies the New Democratic Party proposed, but I have some sympathy when it talks about the government itself speculating on all of its own land.

1620

We will not oppose this bill. I have already indicated that I think the best feature of it is that we will get another crack at it in five years. The announcement and the fanfare and what not have

got them through the election. They have their 94 seats.

I really suspect that this bill will not cost us \$50 million a year. I doubt that the uptake on it will be that significant but if it is, the people who have been ripped off by the tax-grabbing Premier and the Treasurer will maybe get a little money back.

It would have been far cheaper if the government had just left the money in their hands instead of having the cost of collecting the money and taxing, and then having the cost of bringing in this program and the cost of administering this program. But since the government will not leave the money in their hands, I will not be opposed to giving them a little bit of money back.

In closing, I wish that I thought the program would be more successful than 100 per cent of thinking people think it is going to be. I really do wish that. I suppose from that point of view I ought not to be critical of the government exploring every possible avenue of assistance that might be there, and I do not; I encourage that, but I think it has missed the mark on this one. I think there are far more effective ways of helping people with housing problems. The sooner this government gets down to helping those who truly need help, instead of having universal programs, the sooner we will get far more efficient delivery of assistance into the hands of those who truly need the help.

I know that the member for London North (Mrs. Cunningham) will have some cogent and far more precise arguments than I, as she has studied this bill with great intensity over the last couple of weeks. I look forward to the comments that she may have on the bill as well.

**Ms. Bryden:** I am very glad that the member for Nipissing (Mr. Harris) appears to see through this bill as much as we do and that it really is no solution at all to Metropolitan Toronto, as he says. Nor is it a solution to a great many other of the major housing markets in this province. That is one reason why we would have hoped that the government would have just let the idea quietly die and would have brought in some much more effective policies for dealing with the housing crisis.

I remind the member for Nipissing and the House that the demands for a land speculation tax are coming from all sources, not just from the New Democratic Party or not just from people like himself who are concerned about the government participating in land speculation with some of its surplus land in Metropolitan Toronto and other areas.



Demands for a land speculation tax are coming from the churches who are concerned about the effects of bad housing on the poor. They are coming from those who are trying to help the homeless who really have no place to live and have nothing but very bad hostel accommodation. Some of the hostels try to do the job but they cannot provide a home for people because it is only very temporary. Those trying to help the homeless point out that the housing situation is making it impossible for people to build stable relationships and to get stable jobs in the community.

It is a very serious social problem. A land speculation tax would go a long way to preventing that social problem escalating the way it has been with the disappearance of rooming houses and the turning over of what would have been affordable housing, but is no longer available to the middle-income and lower-income people who wish to better their housing.

**Mr. Harris:** I want to thank my great friend and colleague the member for Beaches-Woodbine for her kind remarks and indicate to her what a pleasure it is for me to sit in this chamber with her and to pass on our very like-thinking comments on this particular piece of legislation.

**Mrs. Cunningham:** We have spent some time looking at Bill 126 and compliment the government for its intentions, but we really feel that it is, unfortunately, an intention to fulfil an election promise and not one that is seriously aimed at helping families purchase their first home. It is another bill that I personally would place in the Band-Aid-approach category.

Having said that, I hope that more people than I feel will benefit from this bill will, in fact, do so. We will be most interested in looking, somewhere down the road, if this bill is passed, at the success rate of it. I certainly wish the government luck in finding people who can qualify and who eventually will be able to use this bill to help them purchase that first home, especially for those people who are in the category of needing assistance with affordable housing.

I would like to make a few remarks with regard to the bill and with regard to the amendments, if that is in order.

**The Acting Speaker (Miss Roberts):** There have been no amendments placed to the bill in any respect at this time. Would you just please address the bill itself.

**Mrs. Cunningham:** OK. I would like to start by saying that the bill was put together, I think, in

order to help young families and in order to help those people who are in fact purchasing their first home. Unfortunately, at most, the Ontario home ownership savings plan program proposed by Bill 126 can be seen as one small step in dealing with affordability in home ownership.

For example, under the plan, the maximum a couple could accumulate would be \$20,000 in savings, \$5,000 in tax credits, plus the net interest earned on the plan deposit. If the couple lived in the Metro area, this would still leave them well short of the \$42,564 required to make a 20 per cent down payment on a house selling at the April average resale price and well below the \$53,293 required for a 20 per cent down payment on the average-priced new home. The fact is, assuming a 20 per cent down payment, a one-year mortgage at 10.25 per cent and mortgage payments limited to 25 per cent of gross income, a family with an income of \$35,000 could afford to buy a \$100,000 house. Unfortunately, homes in that price range are simply not available.

Further, while the plan is targeted to the low-income and middle-income groups, it is these very groups which have the greatest difficulty in accumulating savings and would have the greatest difficulty in meeting the high carrying costs of home ownership, particularly if they have to use high-ratio financing.

Certainly nothing in the bill addresses any of the identified factors that I have just talked about which have contributed to the dramatic increase in house prices. Moreover, as long as house prices increase at a rate faster than the ability of people to save—and of course this is the real concern in our province today—any form of a savings plan will be of limited use.

From this point of view, the plan is largely a token one, in that it will do nothing to reduce the upward pressure on house prices caused by a range of factors and will do little to help consumers cope with the impact of those factors by making it easier for them to save towards the purchase of a house.

The program is the only one proposed in the 1988-89 budget which will be of benefit to the middle-income persons and families in the province and does provide some measure of assistance, no matter how marginal, to persons saving for a first home. We were disappointed that this is the only proposal in the 1988-89 budget.

**1630**

In addition, the program will have more of a financial impact in communities outside of



Metropolitan Toronto where housing prices tend to increase at a more moderate rate and the affordability problem is not as severe. I am sure, when we look at this a year from now, or a couple of years from now, we will see a few small gains outside of Toronto.

It should be noted that, during the debate on Bill 126, other policies of the Liberal government, as explained earlier today in the debate, have made it more difficult for people to buy a house. We are specifically talking about the increase in the land transfer tax, the increase in the sales tax and the application of the sales tax to asphalt and poured concrete. They have all significantly added to the cost of buying a home.

My colleague has previously talked about the exact number. The total cost increase, looking at these three policies of the government, quite frankly, is the number that he stated, \$3,255.60. Further, new home buyers will incur additional sales tax costs on furnishing and equipment, as he has already stated. I think that was the greatest disappointment to families who are struggling these days. The little bit of extra money they may have had for new furnishings or something to enhance the quality of their lives was certainly eaten up in the great tax grab.

In sum then, I guess the best one can say in support of the bill is that it will modestly enhance the ability of people to save for the purchase of a house and will thereby help to mitigate the negative consequences of a number of other Liberal government policies.

I will close by simply saying that we have created categories in this party for the policies of the government and this one would go into the category of the Band-Aid approach, rather than looking at the real problems in housing across this province and coming up with a feasible, responsible plan that will take us far beyond the turn of this century and be something that we can all be proud of in the future.

At the appropriate time, I would like to talk to the amendments that I understand will be placed at some point.

**Ms. Bryden:** I appreciate the previous speaker, the member for London North, pointing out and reminding us that the new home buyer does face very sizeable increases because of the increase in the sales tax, which amounts to almost 15 per cent, and that it will affect housing materials, furnishings, appliances and a lot of things that are required when you move into a new home. That is a pretty substantial deterrent to new home buyers and further prices them out of the market.

The past increases in the land transfer tax by this government have been remarkable and it is going in the opposite direction. The government has not reduced that. It appears that the main interest of the Treasurer is in grabbing the money where he thinks it is easy to get but not looking at the people who are really being hit by his \$1.5-billion tax increases. They are the people who are the most desperately in need of affordable housing. He is making it impossible for them to obtain down payments or to ever hope to own a home.

I think we have to think of this legislation in the context of that need, that this legislation will give back a little credit to a few people who might qualify, but it will not really help the majority of people who are hit by these huge tax increases on all their housing needs.

**Mr. Elliot:** I would like to comment on the speech in a most favourable fashion too, because of the fact that the speech recognized that this is a modest improvement on the situation.

I would like to highlight, in addition to that, that I think the attitude which goes with saving is something all of us as legislators should be concentrating on just a bit. I taught mathematics for 28 years, and in our area you can buy a modest house in the range of \$100,000. Mathematically, I can show that with a saving attitude, if a two-member family saves properly, that family can save, over a five-year period, approximately 40 per cent of the value of that type of house. If they do that, they can sustain that house on the other part of the income. They can plan their family and do a very satisfactory job.

I think the problem with attacking a bill like this one, which is really aimed at instigating an attitude of saving into the population out there, is that it is really a bad thing to do. Too many of our young people, in my experience, have an attitude of spending rather than of saving. I think it is the responsibility of all of us in this Legislature to document the fact that we support saving. I think it is really wrong to ever stand up and say that we in a Legislature like this can assure people that, without doing anything, they can buy homes or anything else. Too often, we tend to do that by attacking unfairly good legislation such as this, which certainly points in the proper direction.

**Mr. Harris:** I too, like the member for Beaches-Woodbine, am delighted and pleased—what were the words she used? Very supportive, whatever it was; it was very positive—in regard to the remarks the member for London North made.



I want to comment also on the remarks the member for London North made, as those remarks prompted remarks from the member for Halton North (Mr. Elliot) about the attitude of saving and budgeting that he feels is so important to instil in young people and that he feels young people do not have. I take a little exception to blaming young people.

If they watch the government of Ontario, if they watch the Premier, if they watch the Treasurer, if they in any way pay any attention and follow the example of this government, that would be the reason why they do not save any money. This government spends far more than it brings in, year after year. It continually goes back to the well to increase taxes. My only hope is that young people do not pay attention to how this government handles its money, if in fact the intent is that they should be saving a little more as opposed to going out and borrowing money all the time to achieve some of the tangible things they want.

I do want to comment as well that while they may be able to achieve \$40,000, I think it would take pretty good investment to do that over five years. The house will surely have gone up significantly more than that and they will still be behind the eight ball.

**The Deputy Speaker:** Are there any other questions and comments? If not, would the member for Beaches-Woodbine respond? My apology. The member for London North.

**Mrs. Cunningham:** The member for Beaches-Woodbine would have made a more significant response, but I will give it a good go. She was very articulate earlier today and I approved of everything she stated.

I just have a couple of remarks. I would like to thank the member for Halton North for his compliments. I think it is important that when there is a small step made, it is acknowledged, and I intend to do that this afternoon.

I share his concern about savings and that we should be supporting families and young people as they save. I can only say that one of the greatest disappointments of the budget was that it did not encourage young people to save, not only for down payments on homes but also for future education, for families, and certainly for furniture and other meaningful items for the household. I think that should be of concern to the government; certainly it is to our party.

1640

He mentioned the price of \$100,000. In looking at the numbers around Toronto, and certainly in London, \$100,000 is a house that

could only be afforded by people who are jointly earning an income of \$35,000 or more and who could possibly benefit in a very small way, if this is in fact their first home, from being a participant in this plan. I think the real problem with the figure of \$100,000 is that there are very few homes available, certainly in Metro Toronto, where the problem seems to be the greatest.

I do support saving and I hope that this plan will encourage it. I hope the government in the future will take other measures that will encourage young people to save. Sales tax is not one of the ways.

**Hon. Mr. Grandmaitre:** I am very surprised at the comments of the member for Beaches-Woodbine and also the congratulations from the member for Nipissing. The member for Beaches-Woodbine uses the words, "a useless bill," "not to be taken seriously," "it is a farce," "it is ill conceived." Yet she is a member of a party that has been harassing this government to create more housing to give low and moderate earners a chance to own their own homes.

I think this bill does that very adequately. It is a start. It is not a miracle bill, but I think with the assistance of the ministry and the Minister of Housing—there is not a week that the Minister of Housing does not stand up in this House and announce a new program or continue to improve housing programs. She has to be congratulated for the work that she is doing.

I think the member is absolutely right when she says very few people in the city of Toronto or in Metro will be using this program. I would like to remind the member for Beaches-Woodbine that there are other communities in this province besides Toronto. There are other communities that have to be looked at.

There is southern Ontario, northern Ontario and eastern Ontario. I can tell members that people from these areas have been phoning our telephone centre in Oshawa asking us when this bill will receive royal assent. Young people are interested in this program. I can guarantee members that we will spend \$50 million and, hopefully, next year we will be able to improve this program.

The member for Nipissing has pointed out that he does not think we will use this kind of money, but it is committed money and we intend to go through with this bill and to provide young couples and individuals with the opportunity of owning their own homes.

I think the member for London North compliments at least the intention of this government for initiating such a program. I think she understands



that we do have low- and moderate-income earners in this province. We have to look at their needs and those of young families who are starting in life. This is a starter home program.

**Mr. D. S. Cooke:** It's not for low-income earners.

**Hon. Mr. Grandmaître:** Maybe the member for Windsor-Riverside (Mr. D. S. Cooke) does not really appreciate this kind of program, but he should, because he knows very well that it is very difficult for an individual who is making between \$20,000 and \$40,000 to own a home in this province, especially in Toronto. That is the only thing I agree about with the member for Beaches-Woodbine, that it is difficult for a person living in Toronto earning \$20,000 and expecting to buy a home in Toronto. But there are other communities to be considered.

The member for Beaches-Woodbine keeps talking about a land speculation tax. I do not know if she was a member back in 1977, but from 1974 until 1977 she was in this House when the Tory government, the Conservatives, introduced a land speculation tax and it did not work; it did not work.

I find this bill does not answer all our housing needs in this province in spite of our long-term strategy. We are committed to 30,000 units and this, as I said, is a step in the right direction, as pointed out by the member for London North. We will continue the work and improve our housing crisis in this province.

The member for Beaches-Woodbine also commented that a \$500 tax credit is pie in the sky. Imagine what a \$30,000 or a \$35,000 earner will think of that comment. It is not pie in the sky. It is a program well intended to fit the needs of young people in this province. I can tell the members on behalf of the Minister of Housing that we will continue as a government to respect our commitment to more housing and more quality housing in this province.

Motion agreed to.

Bill ordered for committee of the whole House.

House in committee of the whole.

#### ONTARIO HOME OWNERSHIP SAVINGS PLAN ACT

Consideration of Bill 126, An Act to assist Ontario Residents to save for the purchase of a First Home.

**The Deputy Chairman:** Are there any comments or amendments to parts or sections of the bill and, if so, to which sections?

**Hon. Mr. Grandmaître:** Madam Chairman, is it possible with the consent of the whole committee to have my people join me at a closer, lower chair?

**The Deputy Chairman:** Is there unanimous consent of the committee to have the staff of the honourable minister be here in the House?

Agreed to.

1650

**The Deputy Chairman:** To just which sections are you proposing the amendments, please?

**Hon. Mr. Grandmaître:** I have seven amendments. Subsection 1(1) is the first one; then section 2, paragraph 3; section 2, paragraph 17; clause 5(5)(aa); subsection 5(7); subsection 9(9), and clause 19(1)(d).

**The Deputy Chairman:** Are there other comments or amendments to be made and, if so, to which sections or parts of the bill?

**Ms. Bryden:** I wish to comment on section 19 when we get to it.

**The Deputy Chairman:** Do you have any other amendments?

**Ms. Bryden:** No.

**The Deputy Chairman:** Are there any other members who have any other amendments?

Section 1:

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that the definition of "depository" as set out in subsection 1(1) of the bill be struck out and the following substituted therefor:

"'depository' means a branch or office in Ontario of,

"(a) the Province of Ontario Savings Office, or

"(b) a financial institution that is a member of the Canada Deposit Insurance Corporation or of the Ontario Share and Deposit Insurance Corporation."

**Hon. Mr. Grandmaître:** Very briefly, this amendment was necessary to make sure that all financial institutions could participate in this program and that all could participate in this plan as long as their deposits are insured by the Canada Deposit Insurance Corp. or the Ontario Share and Deposit Insurance Corp. It is house-keeping.

**Ms. Bryden:** I would, by way of preface, like to congratulate the minister on providing us with an explanatory note for each of his amendments. I was in the standing committee on general government this morning when we got 20 amendments from the Minister of Municipal Affairs (Mr. Eakins) without any explanatory

note, and we got them at 10 o'clock in the morning when the clause-by-clause debate started. The Minister of Revenue not only gave us a little notice but he gave us an explanatory note.

I recognize this amendment as something that was mentioned in the briefing session which the minister had with the opposition critics on his revenue bills. I think I suggested that the bill seemed to have forgotten that we did have a Province of Ontario Savings Office. It has branches quite widely spread throughout the province. I thought it would be very convenient for many people to use in applying for the credits provided for in the act—that is assuming the act went ahead.

I am glad he has included, really, all financial institutions because clause 1(1)(b) covers, I think, all banks, credit unions and other kinds of deposit-receiving institutions, because they are all covered by the regulations of the Canada Deposit Insurance Corp.

I congratulate him on having accepted my proposal. I think a lot of people will find it convenient, if a lot of people are beating a path to his door with applications.

Motion agreed to.

Section 1, as amended, agreed to.

Section 2:

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that paragraph 3 of section 2 of the bill be struck out.

**Hon. Mr. Grandmaître:** Again, it is to simplify the administration of the plan for qualified citizens in Ontario, so it is really a housekeeping amendment.

Motion agreed to.

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that paragraph 17 of section 2 of the bill be struck out and the following substituted therefor:

"17. The terms of the plan provide that any receipt,

"i. for a contribution of the plan, issued by the depositary after the date on which the planholder has received, or has been deemed by this act to have received, any assets of the plan or the use or benefit of any assets of the plan, other than in accordance with section 5, or

"ii. for a contribution made to the plan after the 31st day of December of the fourth calendar year ending after the end of the calendar year in which the plan was entered into by the depositary and the planholder,

"shall be in a form substantially different from the form of receipt required to be filed with the

minister by a planholder claiming a tax credit under the Income Tax Act with respect to contributions made to an Ontario home ownership savings plan."

**Hon. Mr. Grandmaître:** Paragraph 17 of section 2 will make it possible to allow depositaries to issue instant receipts for the purposes of the Income Tax Act.

Motion agreed to.

Section 2, as amended, agreed to.

Sections 3 and 4 agreed to.

Section 5:

**1700**

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that subsection 5(5) of the bill be amended by adding thereto the following clause:

"(aa) In the case of an agreement to purchase a proposed condominium unit that may become a qualifying eligible home, consent to the release of the assets of the plan to the planholder, but the date of release of the assets of the plan shall be not more than 30 days before the date when a deed or transfer of the unit acceptable for registration is to be delivered to the planholder unless the minister is satisfied that,

"(i) the planholder is required, under the agreement to purchase the proposed condominium unit, to take possession of or to occupy the proposed condominium unit before a deed or transfer of the unit acceptable for registration is delivered to the planholder, and

"(ii) the total amount the planholder has paid or is required to pay forthwith to the vendor of the proposed condominium unit under the agreement is equal to or greater than the value of the assets of the plan."

**Hon. Mr. Grandmaître:** Just to let members know what this is all about, we have included condominiums, as members know, and condominiums are not always registered when you move in. This is to clean up our bill, as the member for Windsor-Riverside (Mr. D. S. Cooke) would say.

**Ms. Bryden:** I would just like to comment that the number of amendments which the minister is bringing forward indicates that the bill was somewhat ill thought out and does require a certain amount of clarifying. That is why I think I called it pie in the sky. It was really an election promise that had not been thought out at all, and the attempts to put it into legislative form in draft have not been entirely successful because of the fact that it was conceived without a clear idea of what it was trying to achieve. I think the number of amendments indicates that.



Motion agreed to.

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that section 5 of the bill be amended by adding thereto the following subsection:

“(7) For the purposes of subsection 12(1), where the assets of an Ontario home ownership savings plan have been released under subsection (5) to a planholder who has entered into an agreement to purchase a proposed condominium unit, the planholder shall be deemed to have acquired ownership of the proposed condominium unit and the proposed condominium unit shall be deemed to be an eligible home on the date the planholder is entitled to immediate vacant possession of the proposed condominium unit.”

Motion agreed to.

Section 5, as amended, agreed to.

Sections 6 to 8, inclusive, agreed to.

Section 9:

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that section 9 of the bill be amended by adding thereto the following subsection:

“(9) The terms of an Ontario home ownership savings plan may permit a depositary, on a transfer, payment or release of the assets of the plan, to deduct any fees or charges payable by the planholder to the depositary in connection with the operation or administration of the plan from the assets of the plan remaining after the deduction of any amount required to be deducted under subsection 2.”

**Hon. Mr. Grandmaître:** This is to allow depositaries to deduct fees related to the administration of the plan.

**Ms. Bryden:** I have a question. Will the administration fees or charges be subject to review by the minister and possible approval? We have recently heard about the banks charging all kinds of fees and administrative charges without any control over them and without even notifying people of any changes in them. It seems to me that this is a carte blanche section giving the depositary the right to charge whatever it likes and to get its money, because it can pick it up from the deposits before it refunds any money.

I wonder if there should not be some protection for the participants in the plan against administrative-fee increases, charges that seem unreasonable, and whether the minister should not have to approve any administrative fees and charges and any increases thereof and see that the participants in the plan are notified.

**Hon. Mr. Grandmaître:** The member for Beaches-Woodbine is absolutely right when she claims that some of our financial institutions do charge excessive fees, and I can guarantee her that these fees will be part of our regulations.

Also, I would like to remind the member that at the time that an individual or a couple buys in—if I can use the term “buy in”—to the plan, these fees are negotiable and they can shop around. This is why we have included all financial institutions, and they will know exactly what the fees are before they get involved in a plan.

**Ms. Bryden:** The minister says these will be covered by the regulations. In what way? Will there be any fee that is to be charged that would have to be submitted to the minister for approval? Will any changes have to be submitted to the minister for approval and will there be in the regulations a requirement to notify all the planholders of any changes in the fees, as well as to notify them when they take out the plan what the administrative fees and charges are? I think that is the minimum we should have, and perhaps an annual reporting from the institutions as to what fees and charges they are making.

**Hon. Mr. Grandmaître:** The fees will be made at the time of the closure, so the individual or the couple will know in advance what those fees will be.

1710

**Ms. Bryden:** You said you could shop around.

**Hon. Mr. Grandmaître:** Well, yes, I am giving you the opportunity to shop around, but at the same time, they will be disclosed at the time they enter the plan. When they open a plan, these fees will have to be disclosed. This is why I say you can shop around, and if you find those fees too excessive, then you are free to shop elsewhere until you are satisfied that the fees are satisfactory to you.

**Ms. Bryden:** This does not require that they must submit their proposed fees and charges to the ministry for approval. It seems to me you need some sort of ceiling on what they are going to charge. Often, shopping around in the banking world does not mean very much competition. They compete on other bases, but I do not think that is enough control over the fees to protect the consumer. I would like to see the minister agree to put in the regulations that they must submit their fees and charges to him for approval once a year or something like that.



**Hon. Mr. Grandmaitre:** We do not intend to limit those fees. Again, we will leave it to the market. I will repeat, this is why I am inviting you to shop around because these fees are not the same. If you are not satisfied, well, then we invite you to shop elsewhere because bank fees are all different.

**Ms. Bryden:** I would just like to comment that the federal committee studying banking fees is recommending that there should be some sort of control over some fees, and some limitations. I think we should be looking at that too and I would commend the minister to study the report of that committee.

**Mrs. Cunningham:** I would also like to speak to subsection 9(9) and the amendment. I would hope the minister would take into consideration an addition to the amendment. We are very concerned that this amount the depositary can charge on a transfer, on a payment or on a release of the assets of the plan be capped or clearly understood at the beginning.

I am sure, given the response the minister made to the previous question, that he also is concerned somewhat about this.

The planholder must be protected from costly administration fees. This clause is particularly open-ended. In looking at this earlier this afternoon, I was somewhat suspicious that, certainly, the depositaries were concerned enough to request an amendment to the plan so that they, clearly, would be allowed to charge a fee. In looking at this, I think we should be equally concerned for the planholder and either cap it with some words or offer some protection that the fees should be agreed upon at the onset of the plan by the planholder, or at least approved by the minister, either at the onset of the plan or on an annual basis.

We have all been warned, and the consumers are very much aware in this province, of the exorbitant charges by some depositaries. The minister underlines some. The federal government is looking at bank charges at this time and I would ask the minister if he would entertain a few words to be added to this subsection 9(9). I have a couple in mind, or perhaps he has thought about it during our speaking. I am sure he is just as concerned, given his response to the previous question.

**The Deputy Chairman:** I am going to remind the member for London North (Mrs. Cunningham) that if she wishes to amend this amendment, it must be done in writing. You have not done that, so I will wait for the comments of the minister with respect to that.

**Hon. Mr. Grandmaitre:** I appreciate the concern of both members about administration fees, because I do realize that some institutions are known to charge excessive fees, but I think the member for London North will realize that we cannot, as a provincial government, regulate bank fees. This is a federal responsibility. We can only regulate trust companies, but I can guarantee you that we will monitor these fees and include them in the regulations, if need be.

**Mrs. Cunningham:** I do not have any written amendment here, and I am not feeling very comfortable. I will repeat my concern about the fact the bill is even including this section on the administration fee—there was some lack of trust somewhere, I think by the depositary, or we would not even be looking at this today.

Someone has suggested, and certainly it has not been ourselves, that this needs to be part of the bill, but I would say that I think the planholder should be further protected by an additional phrase at the end of this subsection and it should read something like, "The fee is to be agreed upon by the planholder at the onset of the plan and approved by the minister."

I am just putting it in the record of the proceedings this afternoon. I hope that monitoring means just that and I am assured by the minister that he is as concerned as we are with this subsection.

**Hon. Mr. Grandmaitre:** I know that the member's intentions are good, but again I would like to remind her that we cannot regulate bank fees; that is a responsibility of the federal government. Again, we cannot assume—or maybe we can assume; whatever way you want to take it—that those fees will be excessive, but before these institutions come on stream we will have an opportunity to look and possibly ask for their co-operation in charging reasonable fees. At the present time, this is all I can offer the member for London North.

**Mr. Velshi:** I must mention to the minister that I am agreeing with both speakers, the member for Beaches-Woodbine (Ms. Bryden) and the member for London North, in this case. While we are not able to regulate banks, if we are able to regulate trust companies, then I think we should set a ceiling with the trust companies because that would prevent the banks from going higher than the trust companies with those fees.

We are talking about a couple here who are evidently both in the workforce, who would have to take leave from their workplaces at the same time and visit different banks, and probably they would have to take off a whole week to visit three



or four institutions. By the time they are finished, they will be so confused they will not know what they started with. We have all experienced that and I request the minister to reconsider this particular subsection.

I think it is very important. If we are not able to do the banks, let's go with the trust companies on this one.

Motion agreed to.

Section 9, as amended, agreed to.

Sections 10 to 18, inclusive, agreed to.

Section 19:

1720

**The Deputy Chairman:** Hon. Mr. Grandmaître moves that clause 19(1)(d) of the bill be struck out and the following substituted therefor:

"(d) increasing or decreasing the percentage referred to in subsection 9(2) in all circumstances or in prescribed circumstances, and prescribing circumstances where no amount is required to be deducted, withheld or remitted under subsection 9(2)."

**Hon. Mr. Grandmaître:** Clause 19(1)(d) simply gives the ministry greater power in varying the percentage to be withheld and remitted under subsection 9(2).

**The Deputy Chairman:** Would any honourable member wish to comment with respect to clause 19(1)(d)?

**Ms. Bryden:** Generally on the clause, but not on the amendment.

**The Deputy Chairman:** Would you wish to comment at this time with respect to clause 19(1)(d)?

**Ms. Bryden:** If that is in order.

**The Deputy Chairman:** Do you wish to comment on it as amended or before it is amended?

**Ms. Bryden:** It does not make any difference.

**The Deputy Chairman:** Perhaps, if it is agreed, you can comment on it now.

**Ms. Bryden:** I have sat on the standing committee on regulations and private bills for a number of years. Part of our job was to review regulations that came in as to whether they were within the powers of the act. We occasionally ran across cases where regulations had been passed and made retroactive. The committee took the view that this was a no-no, unless it had been specifically covered in the regulations that had been issued that in certain cases one could make retroactive regulations.

I see now this clause in there that apparently any regulation can be made retroactive if the Lieutenant Governor in Council says that, by regulation. This is a very broad power and I think it should be discouraged in regulations sections unless there are some very specific cases where it should be used.

The sort of example that came to the regulations committee was that a welfare payment was supposed to have been changed in the first of the month. The regulation authorizing that change did not get drafted and through the works until, say, two weeks later, mainly due to the laxness of the staff in getting that regulation through on the date it was supposed to be in effect. The committee felt that was a very bad practice, that the ministry should plan its work better, have its drafters ready and get the regulations through in the time they should be there.

That is only one example of what is in this regulations section that I find objectionable. I have not looked at a lot of the more recent legislation, but certainly in the past, the regulations sections were not as broad as they are these days. I think we are giving the government and the ministries too much power by the regulations sections, such as clause 19(1)(a) which says that the Lieutenant Governor in Council, by regulation, may define "any word or expression used in this act that has not already been expressly defined in this act."

"Any word" could be the subject of a court challenge. So if somebody challenges some action of the ministry, he or she could simply put through a regulation defining that word in a way that the court might not be able to say a challenge was available. It seems to me that is usurping part of the powers of the courts. The legislation should be drafted much more precisely and a clause like that should not be there. It should require an amendment to the act if the ministry finds that some word or expression needs definition.

There are a couple of other sections in there that bother me too, namely, clauses (f) and (g), which prescribe information to be obtained from planholders by depositaries in connection with or for the purposes of the act.

What is the confidentiality of this information? Are the planholders protected by any law that shows that the information that is required to be obtained will be protected as to its confidentiality? To what use will that information be put? Again, I think the act should be more precise about what kind of information is to be obtained from the planholder so that we can see exactly

what they are being asked to divulge of their personal affairs and what right they have to object if that information is used for any other purpose.

Clause (g) is somewhat similar, "requiring any person to make information returns respecting any class of information required by the minister in the administration of this act or in determining compliance with this act." That is a very broad clause. Again, it does not say what kind of information the minister is going to require. It just says "respecting any class of information required by the minister in the administration of this act."

If the minister needs information to administer the act efficiently, he should spell out in the legislation what kind of information he needs and what confidentiality there will be to that information so that we are not dealing with a power where the minister can ask for any sort of information and can put it in any sort of a file and possibly divulge it to other people.

I hope that when future bills come before us, the government as a whole will start to observe the principles of limiting the regulatory power and being much more specific in the kind of regulations that are permitted under the act. I think maybe the standing committee on regulations and private bills should be considering this sort of problem as well.

I just want to urge the government to consider this and perhaps even to refer the whole question of the scope of regulations to the regulations committee.

**Mr. Philip:** The regulations committee has an excellent report which it is going to be presenting in the House. I hope the minister reads that report because it does deal with that issue. If the minister and the member for Beaches-Woodbine then stand behind that committee report, I think we may have some solution to dealing with some of the problems we have had in the ministries, where even the minister does not realize what some of his deputies and people under the deputies are doing to people in this province, without his knowledge or the knowledge of other senior elected people or the Legislature.

**Hon. Mr. Grandmaître:** I thank the honourable members for their advice. I will certainly read that great report and I will certainly learn a lot from it.

Motion agreed to.

Section 19, as amended, agreed to.

Section 20:

**Ms. Bryden:** I would like to ask a question. When this bill was originally proposed, I think it was supposed to come into effect January 1, 1988. This presumably now brings it into effect September 1, 1988, at the latest, or with royal assent earlier. Have there been many applications received by the ministry since January 1, 1988, and are they being held pending passage of the bill? Have the people been given any indication that these applications will get any preference? What sort of response has the minister had to the bill so far in the way of actual applications coming in, possibly in the hope that it would be made retroactive or that it was a misunderstanding as to whether it was in effect.

1730

**Hon. Mr. Grandmaître:** As the honourable member pointed out in her previous remarks, she accused the government of announcing this program before the budget was deposited in the House. At that time, the Treasurer (Mr. R. F. Nixon) did refer to a start date of September 1, 1988, with no retroactivity. This is why it is September 1, 1988.

Sections 20 and 21 agreed to.

On motion by Hon. Mr. Grandmaître, the committee of the whole reported one bill with certain amendments.

#### BUDGET DEBATE (continued)

Resuming the adjourned debate on the amendment to the amendment to the motion that this House approves in general the budgetary policy of the government.

**Mr. Owen:** I rise to make some remarks with regard to the budget itself. While I have had the opportunity since the election to make many statements and to raise many questions, this is what can be construed as my maiden speech; so I would also like to take the opportunity to make a few remarks about the area I represent.

With regard to the budget itself, I can recall in previous years that the government at the time would promise certain things in our area election after election. For example, we were in need of a new courthouse in Simcoe county. I can recall that for three elections in a row the government would promise the same new courthouse, and by the time the next election would arrive, the voters would have forgotten it was promised the previous election. Finally, after three elections and three promises, we got our courthouse.

I can recall that in three different elections in more recent times, Barrie was promised a new



Royal Victoria Hospital. It is only now that the new hospital is being built. I was always surprised, after each election when these promises would be made, that the government of the day had not made any provisions to pay for what it was promising. They made no attempt to budget for the particular projects they were promising. I can reassure the House that in this instance with this kind of budget we are not only able to say that this is what we plan to do, but the effort is being made by this government that we will not only promise to do these things but will back it up with the funding.

Like everyone else, I have also received a number of complaints and criticisms of the budget. What I have said to the people who have called is: "You have said that you want and need more school spaces. With this budget, we are able to give you the additional school spaces." The people have said they wanted better and improved health care and a new hospital. With this budget, we are able to give the improved space and we are able to give the new hospital.

I have had complaints since the last election about the quality of repair of our highways. With this budget, we are able to address the problems of repairing and updating the highways. I have had complaints with regard to housing and the need for affordable housing. With this budget, we are able to address that problem.

When I explain to the people that they are going to have their needs met, I have found, out of the probably couple of hundred letters and phone calls I have received, there were only two people who finally said, "I would rather not be out the extra money for taxes and I would rather not have the improvements." The rest of the people who have addressed this problem with me have said: "If you explain it like that, I can understand it. We have to pay for what we are going to get."

I would like to point out that since 1985, when this government was first formed, 463,000 new jobs have been created in Ontario. I would like to point out that this government has invested \$7 billion in capital projects in the past three years and it has been addressing a serious backlog and is now attempting to service growth as this province demands and needs.

This government, through this budget, is able to address the reduced revenue we are receiving from the federal government. We project the reduced revenue will be to the tune of approximately \$1.5 billion. We are having to face up to it, and with this kind of a budget we are able to do just that.

We need to provide assistance to those in the lower-income brackets. We need to make our tax system fairer. We need to improve the assistance to those who need help with Ontario health insurance plan premiums. With this budget, we are able to do just that.

All of us have heard the Treasurer (Mr. R. F. Nixon) again and again reiterate what seems to be one of the features of which he seems to be most proud in that it is the lowest net cash requirement this province has required in 19 years. Again, the Treasurer has reminded us in the province many times that we still have the third-lowest personal income tax rate in all of Canada.

With regard to the type of area I represent, we have introduced \$900 million for school capital programs. We have to raise this kind of money through this kind of a budget if we are to be sincere and follow through on the promises of last year's election, where we are trying to reduce class sizes for grades 1 and 2 and to introduce computers and other better learning materials in the classrooms.

In our area, I would like to report that the moneys which this government, through this budget, is going to be providing to the public school board amount to \$8 million. In my own riding, there are three schools which were desperately in need of substantial additions. I have had people come to me and tell me their children have been kept in portables from kindergarten through to grade 12 or 13. That is a situation which is not tolerable and this government is endeavouring to address that problem. We will be having in my own riding additions to Forest Hill, Sunnybrae and Assikinack public schools.

In addition to that, our separate school board has been allowed \$8.5 million for school construction. St. Ann's elementary school in Penetanguishene has had a desperate situation. It has had crowded and rundown conditions for many years. The parents have complained again and again. Finally, we are able to address that problem with \$2,440,000, because we have this kind of budget.

1740

In Orillia, Samuel-De-Champlain elementary school will finally be constructed, to the tune of nearly \$3 million.

A new elementary school for the separate school board will be constructed in Alliston at \$2.5 million. Alliston is another area where we have great and rapid growth in the south end of our county. We are addressing the problems of



that rapid growth and a new school will be provided.

Of course, previously we had announced assistance to LeCaron school in Penetanguishene. It is going to be assisted to the tune of over \$5 million. Without this kind of budget, without this commitment by this government, we would not be able to address these needs.

In the past, Ontario has looked at school budgeting of \$70 million a year. It meant that as it was flat-lined out year after year, with inflation, less and less was being achieved by way of capital expenditure. This government has said this is not acceptable. This government is saying we can only meet the backlog of demand by addressing it, and we had to do it with this type of tax increase.

I would like to comment on the programs we are introducing at the post-secondary level because in our county we have Georgian College, one of the community colleges. Since 1985, the operating grants by this government to universities have increased by 25 per cent and to the community colleges by 35.5 per cent. That means that colleges like Georgian College, in Barrie, are benefiting substantially.

This government has committed itself to capital expenditure at this level, as well. We have introduced and committed ourselves to 47 new projects representing \$300-million worth of construction across the province. Again, we can only do this sort of thing and make this sort of commitment with this sort of budget.

We have had difficulty at all levels of post-secondary education with a faculty which had to be renewed, and we have had to address that problem. We now have a commitment that 500 new, younger faculty, particularly women, will be added to the workforce at these faculties over the next five years. It is hoped and expected that by 1989 there will be 268 new faculty in place, and we fully expect that women will take up at least half of the new appointments.

All of us have had complaints about the Ontario student assistance program. Again, this budget has tried to address some of the difficulties we have experienced with that program. OSAP has seen an increase of an unprecedented 34.2 per cent in the past three years.

We have had opportunities to see increased funding in research, for our libraries, and for the centres of entrepreneurship, again, showing our commitment.

With regard to health care, our government has made a commitment to a new Royal Victoria Hospital in Barrie. The new facility will have 363

beds. The old hospital will be utilized in part for chronic care, and we have a commitment there of 140 beds, in that direction. This is going to be a cost to this government of \$60 million, which is estimated to be about two thirds of the cost. We fully expect that construction will begin by the spring of 1990 and we hope, all going well, the construction will be completed by 1992.

I know that some hospitals have had difficulties with regards to their ongoing financing, but I am happy to report that The Royal Victoria Hospital in my riding finished 1987-88 with a \$200,000 surplus. They have followed the guidelines, the direction and the assistance offered by the ministry with good effect.

I have always had a concern for the disadvantaged. Before I was a lawyer, I received an education and worked in the field of social work. I have been concerned that, with increased taxes, the less fortunate in our society might be further handicapped or punished. But, again, the Treasurer has addressed this problem. He has seen that the new property and sales tax credit programs will deliver \$444 million in tax credit benefits to over 1.8 million low-income people of Ontario.

He has seen to it that sales tax credits are set at \$100 per adult and \$50 per child, more than doubling the total benefits under this program for low-income households. He has seen to it that the new \$40-million Ontario tax reduction programs will eliminate provincial income tax for 350,000 low-income tax filers. He has seen to it that the Ontario health insurance plan premium assistance program will be enriched, and, as a result, an additional 30,000 individuals will no longer pay premiums in 1989.

I would like to comment on the fact that the leader of the third party has again and again, in and outside the House, criticized the budget by saying that it is wrong, when we have prosperous times, to raise the taxes. I say to the leader of the third party that the time to raise taxes and to address these problems is when there is prosperity across the province. The time to deal with these issues and to introduce catch-up programs is when we have full prosperity and full employment across the province.

If we waited until there were more difficult times—and of course the economy is always on a roller coaster—and then tried to do it on the backs of the poor or the old who are already hurting, I would say his assessment of economics and the needs of this province were not in touch with the realities of what economics should be doing.



We cannot do everything, but I am proud to be part of a government that is saying: "We are in a position to do something. Now is the time to do it. We have the resources to do it. Let's address these problems."

I would like to make a few comments, if I may, about the area which I represent. When I was first elected, in September, the portrait of the only Premier who ever lived and worked in our county was absent from the halls. That was Ernest Charles Drury. As I tried to find where his portrait was, I found out that it was having some restorative work done on it. Ernest Charles Drury was the Premier of this province from 1919 to 1923. When school groups visit the Legislature, I always make a point, before or after they are photographed, to show them, at the top of the stairs, the photograph of Mr. Drury.

Of course, I ask them which party he represented. Most of them do not know. When I mention the initials UFO, they quickly tell me that they did not know there were unidentified flying objects back in 1919 to 1923. But, of course, Mr. Drury represented the United Farmers of Ontario at that time. Mr. Drury was born in 1878 and did not die until 1968.

#### 1750

When I first moved to Barrie, Mr. Drury was the registrar of our courts and the sheriff of our county. I can always remember that Mr. Drury was courteous to everyone, particularly to the younger lawyers. I noticed that if a person was called to the witness stand or charged with any offence, he always showed a certain deference and gentlemanly quality towards these people. In fact, at one point, one of the judges made an observation to me that he thought Mr. Drury showed more concern for the poor people who were charged before the courts than he did towards the bench or the more established lawyers.

Mr. Drury had an eloquence that he never lost in his later years. He could express himself in an almost Churchillian fashion. He had a booming voice that I think could fill canyons. I remember visiting him in the hospital when he was close to death. I was always welcome to visit him. He seemed always to take an interest in my work and what I was doing in the community. I remember that even in his last days he could recite whole sections of plays of Shakespeare to me, and in a marvellous, grand fashion of delivery. If he had not followed his career in farming and politics, I think he could have followed a very exciting career in the theatre.

Interestingly, I believe Mr. Drury is probably the only person who has ever been Premier in this province or in any province without really being elected. He did not run in the election of 1919. He had run in the federal election in 1917 as a Liberal and had been defeated. In 1919, he chose not to run. The United Farmers of Ontario was elected and it had no leader. He was on the committee that went around trying to find someone to be leader and Premier of this province. He went to people like Sir Adam Beck and they all declined, I think in part because they realized that it would be a minority government. There were 11 Labourites who were going to support them and they realized that there were going to be political problems for whoever finally decided he would be the leader of the party and Premier.

Finally, after quite a delay, Ernest Drury agreed to be the leader of the party and Premier, but he did not have a seat and there was no seat made available for him in Simcoe county. He looked around, and finally the member for Halton agreed to relinquish his seat and allow Mr. Drury to run. The Liberals and Conservatives chose not to run anyone against him. There was a candidate who really had no support and did not represent any party who said, "I am going to run just for the kicks that are involved." Essentially, Mr. Drury was elected in a by-election without opposition, and I am not aware of that happening anywhere else in the country.

Mr. Drury served well as Premier. He was a very caring, humanitarian person, and he introduced a reforestation program which members will see all through the province. He introduced social legislation such as mother's allowance. I might not be right on this, but my recollection is—and there are a number of teachers sitting in the Legislature today—he introduced the first teachers' colleges.

He was defeated in 1923, as was his party.

His father, interestingly, was Charles Drury, who was the first Minister of Agriculture in the government of Oliver Mowat.

**Hon. Mr. Conway:** I remember it well.

**Mr. Owen:** Yes, right.

As a matter of fact, many of us recalled his father a few weeks ago downstairs when we were observing the opening of the 100th birthday of the Ministry of Agriculture and Food. Also interestingly, sitting in his government was Harry Nixon, the father of our present Treasurer, who also served a distinguished career for many years.

**Hon. Mr. Sorbara:** He also worked at Earl's Shell, by the way.

**Mr. Owen:** I somehow think that Earl's Shell service station was not known or valued quite so highly from 1919 to 1923.

I realize the time has approached for me probably to move an adjournment, but I would like to say that when I was first elected, I drew to the attention of the Legislature that all through this downtown area we have buildings named after premiers. It just so happens that all these buildings are named after Conservative premiers and after Liberal premiers, but they have all been observed right from the very beginning, from Macdonald right up to Frost and Drew.

I would submit that the government seriously consider naming one of the buildings after Ernest Charles Drury, who made sizeable and considerable contributions to the furthering of Ontario.

I would also like to point out that my riding, my area, represents all kinds of people. Right beside me where I live and across the street are people who are grandchildren of Mr. Drury. They represent a heritage and a respect for the past. On the other side of me is an Irish family which came over just a few years ago. So it shows that this province accepts and embraces all people, both those with great traditions in history and roots and those who are newcomers.

But I see the time is passing and I would offer a proposal of an adjournment at this time and welcome the opportunity to make my concluding remarks at a later time.

On motion by Mr. Owen, the debate was adjourned.

**Hon. Mr. Conway:** A fine historical discourse. I commend the honourable member's speech to all. It is not time for comments yet, the chief government whip advises me, so I am here to read the business statement for the week upcoming.

## BUSINESS OF THE HOUSE

**Hon. Mr. Conway:** Pursuant to the standing order that allows me to do that, I am going to announce that on Monday, June 6; Tuesday, June 7, and Wednesday, June 8, we will deal with second reading of Bill 113, An Act to amend the Retail Business Holidays Act, and Bill 114, An Act to amend the Employment Standards Act.

**Mr. Philip:** And a fine debate it will be.

**Hon. Mr. Conway:** And a fine debate it will be, I say to the Etobicoke landlord.

On Thursday morning, we will consider private members' ballot items standing in the names of the member for Oshawa (Mr. Breaugh) and the member for Burlington South (Mr. Jackson). On the afternoon of Thursday, we will continue with the second reading debates of Bill 113 and Bill 114.

## LEGISLATIVE PAGES

**Hon. Mr. Conway:** If I might, because the hour is late, I want to take this opportunity on behalf of myself and my colleagues to wish a very good summer to our distinguished group of pages who are leaving us today after a number of weeks of great industry.

I just want to say I have spent some 13 years in this assembly and I have seen many classes of pages come and go. Over the 13 years I do not remember, I say to the table, a group that has been quite as lively as this particular group. They have added a certain spirit that I think honourable members would do well to emulate.

On behalf of all here assembled, I want to thank the young ladies and gentlemen for their wonderful contribution and tell them that we will long remember their spirit. We wish them well in their summer holidays and in the great future that we know awaits them all.

The House adjourned at 5:58 p.m.

## ERRATUM

No.	Page	Column	Line	Should read:
71	3848	2	9	<b>Hon. Mr. Peterson:</b> My honourable friend does



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cunningham, Dianne E. (London North PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaître, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
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 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
**Mancini, Hon. Remo**, Minister without Portfolio (Essex South L)  
 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)

Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)

**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)

Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)

**Ward, Hon. Christopher C.**, Minister of  
 Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in  
 each issue. Lists of the members of the executive  
 council, parliamentary assistants and members  
 of committees, brought up to date as necessary,  
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 of each month.



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No. 74

# **Hansard**

# **Official Report of Debates**

## Legislative Assembly of Ontario

**First Session, 34th Parliament**

Monday, June 6, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, June 6, 1988

The House met at 1:30 p.m.

Prayers.

## LEGISLATIVE PAGES

**Mr. Speaker:** I would like to introduce to all members the next group of legislative pages to serve in the spring session of the 34th Parliament. They are:

Allyson Campbell, Frontenac-Addington; Attilio Commisso, Oakwood; Lanna Crucefix, Halton North; Keith Davison, Niagara South; Heather Evans, Simcoe Centre; Hope Evans, Leeds-Grenville; Amy Halpenny, Ottawa West; Neil Hennessy, Brampton North; Bradley Hopper, Scarborough Centre; Brett Kilian, Norfolk; Sandra Kroeker, St. Catharines-Brock; Amédé Lamarche, Welland-Thorold; Louise Lannan, Cochrane North; Carl Lem, Eglinton; Som Mukherjee, Brampton South; Darren Nelson, Lake Nipigon; Joan Post, Port Arthur; Paul Pusey, Scarborough-Agincourt; Robin Spano, Riverdale; Rami Tabello, Etobicoke-Rexdale; Charles Tepperman, Middlesex; Michelle Thorne, Prince Edward-Lennox; Steven Volpini, Sudbury East; Rachel Walters, Kitchener; Jennifer Washburn, Essex South, and Vanessa Wilson, Dufferin-Peel.

Please join me in welcoming the pages.

## MEMBERS' STATEMENTS

### NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr. Swart:** The government of this province would like the public to believe that community colleges are independent bodies, that they make their own decisions and that if they have problems, it is their own fault. In general, of course, that image which the government portrays is false.

Take Niagara College, for example. The present executive council of that college proposed three options to a high-level group within the Ministry of Colleges and Universities. The ministry ruled out option 1 in total. They said they could not accept option 2 in its entirety. On option 3, they made very specific statements about which program cuts were acceptable and which were not.

The ministry has now sent out a memorandum dated May 18 to the presidents of all colleges and universities stating it is inappropriate to use the revenue and expenditure—that is, of course, the cost-effectiveness of any particular program—to determine whether it should be cut. The ministry says that approach could eliminate programs with high student demand and good employment opportunities for graduates.

That is pretty obvious. Yet this is exactly what Niagara College has done and it has done it in consultation with and approval by the ministry. The theatre arts, dental hygiene and library technician programs all fit into this category. Surely the ministry is talking out of both sides of its mouth at the same time. The bottom line is that it is responsible for everything that is happening at the colleges with regard to cutbacks and other problems.

**Mr. Speaker:** The member's time has now expired.

**Mr. Swart:** This minister ought to deal with and resolve those problems and quit the game—

**Mr. Speaker:** Order. The member for Nipissing.

**Mr. Swart:** —she is playing.

## BUDGET

**Mr. Harris:** Canadians are realizing what Ontarians discovered some weeks ago, that the fiscal policies of this government are a millstone around their necks. Like that other millstone the Premier (Mr. Peterson) liked to talk about, this government, through its trade and tax policies, has given the finger to the economic aspirations of every province, to every consumer, exporter and home buyer.

Most recently, the chairman of the Canadian Manufacturers' Association and the Premier of Quebec have joined with over 120,000 Ontarians in protesting the Liberal budget. They have noted the inflationary impact of the Ontario budget and the upward pressure it puts on interest rates. For some reason, the rest of the country does not understand that this government in Ontario intends to try to wrestle inflation to the ground by putting taxes and spending through the roof.

For some reason, Canadians find it objectionable that it will cost more to finance a home in



Halifax because the government in Toronto cannot give up its tax-and-fiddle approach to economic policy. The Treasurer (Mr. R. F. Nixon) of this champagne government defends his policies by pointing out that the province has cheap beer. Thus, all Canadians, who will pay through higher interest rates for this government's lack of discipline, will come to know Ontario as the province of cheap brew and cheap shots.

### CANADA FLAG DAY

**Ms. Collins:** I wish to inform the House that this coming Saturday, June 11, the city of Stoney Creek will celebrate the 20th anniversary of Canada Flag Day.

Twenty years ago, the Kinsmen Club of Stoney Creek organized a parade to honour the adoption of the new Canadian flag. These festivities were attended by a number of prominent figures, including the Honourable George F. G. Stanley, the creator and designer of the flag, a distinguished historian and writer, an honorary colonel in the Royal New Brunswick Regiment and, since 1982, the Lieutenant Governor of New Brunswick.

The Canada Flag Day parade is now an annual event in Stoney Creek, capping a week of activities, including the Fifth Lincoln Militia's re-enactment of the battle of Stoney Creek from the War of 1812.

To commemorate the 20th anniversary of this uniquely Canadian event, the organizers have invited Colonel Stanley back to participate in this Saturday's parade. In so doing, they have drawn attention to a truly outstanding Canadian, whose flag design is now an instantly recognizable symbol of our country throughout the world and a priceless addition to our national heritage.

I congratulate the people of Stoney Creek for organizing this important event and for reminding us of our national debt to Colonel Stanley, the man behind the flag.

1340

### UNIVERSITY FUNDING

**Mr. R. F. Johnston:** Today the Ontario Federation of Students brought out the latest indictment of this government's policies on post-secondary education in a paper called Cut to the Bone, which I would recommend as reading to all members of the Legislature.

We now have the situation where accessibility is an academic question for kids, not a question of their academics. Many of them will not be able to go to university this year even though they are

qualified to do so. It is no longer a question of quality on the one hand or quantity on the other. While we are reducing those numbers of students who are going to be able to go, we are also in the position of watching the quality of our universities diminish.

We are in need of replenishment of faculty. We need thousands of faculty to get back to the kinds of ratios of students to teachers we had in the past. We have a situation which will be an enormous difficulty by the 1990s.

As I have shown in this House before, we have a problem with our library system deteriorating and crumbling before us without a reinvestment, even though that is the core of university learning. Many professors are actually turning to textbook learning instead of giving reading lists, which are more of anthropological interest these days.

It is ironic that the richest province has bake sales by students, leaseback proposals for libraries, and condos and luxury apartments being built by universities in order to provide the kinds of programs and buildings they need. It is a crying shame.

### MARKHAM LIBERAL ASSOCIATION MEETING

**Mr. Cousens:** The member for Durham-York (Mr. Ballinger) received front-page coverage in the Markham Economist and Sun this last weekend when he backed out of the Markham provincial Liberal meeting last Thursday, after he, the member for York Centre and Minister of Labour (Mr. Sorbara) and the member for York North (Mr. Beer) had accepted invitations to attend the Markham Liberal meeting.

This was the Markham Liberal association's opportunity to meet three MPPs from the region. The Minister of Labour, unfortunately, had to cancel. As the paper says, he had to work out some major changes to the Workers' Compensation Act. Anyone who monitors his schedule knows this can easily happen.

I was then invited by the president to attend the Markham provincial Liberal association meeting in place of the Minister of Labour. This was a first for me and I was pleased to accept. I even had my red tie ready to wear.

Then the member for Durham-York heard that I would be attending and he, who had previously agreed to attend, backed out of the meeting and the meeting had to be cancelled. The paper goes on to explain in greater detail.

Where last week the member for Durham-York made accusations of me, the one thing I can say of myself is that I am not a coward.



## MORQUIO SYNDROME

**Mr. D. R. Cooke:** Tomorrow, nine-year-old Brent MacKay of Kitchener will undergo delicate and dangerous spinal surgery of about eight hours' duration in Towson, Maryland, near Baltimore, to prolong and enhance the quality of his life in an operation that has never been performed in Canada.

Brent suffers from a rare genetic disease called Morquio syndrome, a type of mucopolysaccharide disease, also known as MPS. MPS is a life-threatening disease that attacks children and causes severe, progressive, physical and mental handicaps. Children born with these diseases cannot produce certain enzymes which are necessary for the correct chemical changes to take place in their bodies. Therefore, complex sugars are stored in all types of tissues and cause progressive damage.

This disease is particularly tragic because few of its victims ever reach adulthood. It has left Brent stunted in body but indomitable in spirit. I have had the pleasure of meeting Brent at A. R. Kaufman school and found him to be a delightful and outgoing young man.

This operation is both pressing and urgent in order to save his life. I strongly encourage more medical research to be done to help Brent and other young people in this province who suffer from this disease. I want to send our prayers to this plucky young lad and his family for the difficult and uncertain days ahead and for Brent's speedy recovery, and to wish him a happy 10th birthday, which he will be celebrating in the hospital next week.

## VISITOR

**Mr. Speaker:** Just before I call for ministerial statements, I would ask all members of the assembly to recognize in the Speaker's gallery, from South Australia, the Minister of Housing and Construction, the Honourable Terry Hemmings. Please join me in welcoming Mr. Hemmings.

## ACCESS TO INFORMATION

**Mr. Sterling:** On a point of personal privilege, Mr. Speaker: Last week I referred to the fact that the Minister of Education (Mr. Ward) was delinquent under the Freedom of Information and Protection of Privacy Act. I have now received a response from the Minister of Education wherein he or his staff are now calculating what it is going to cost me in order to receive information from his ministry.

I think the privileges of every member of this House are impugned by this move. A point of privilege, and a valid point of privilege, is bringing to your attention a matter which keeps me from doing my tasks as a member of this Legislative Assembly. Surely if the Minister of Education is asking me now for money for public documents to be produced for me, that is a valid point of privilege.

I would ask you to refer this to the standing committee on the Legislative Assembly so that it can be clearly put forward as to whether an MPP has to pay for information under the freedom-of-information act, because that is what the Minister of Education wants to do to me.

**Mr. Speaker:** I listened carefully to the member for Carleton (Mr. Sterling). The request was for me to place it before the committee. I am quite sure the member is aware it is not a privilege of the Speaker to place it before a committee. I will, however, review his comments because in my experience here I have not come across a similar case and I would like to review the comments made by the member and report back to him.

## TABLING OF INFORMATION

**Mr. Harris:** On a different but very similar point, Mr. Speaker, once again on standing order 88(d): The problems my colleague is having in getting information, highlighted by the fact that he even has to go the freedom-of-information route and then has to pay, are problems we are having under standing order 88(d). You will recall that it is the same standing order I brought to your attention last Wednesday.

Standing order 88(d) states: "The minister shall answer such written questions within 14 days unless he indicates that he requires more time because the answer will be costly or time-consuming or that he declines to answer, in which case a notation shall be made on the Orders and Notices paper following the question indicating that...an interim answer" has been given, "the approximate date that the information will be available, or that he has declined to answer, as the case may be."

Last Wednesday, I brought to your attention a dozen questions which were in violation of the standing order. At that time, I questioned whether the proceedings of this House could proceed while such a gross violation of the standing orders existed. As of six o'clock last Wednesday night, this government has failed to meet the deadline for responses under standing order 88(d) of a further 124 order paper



questions. These questions deal specifically with the financial administration of this government. They deal with the ministry budgets of this government for the past two years. I do not want to read into the record all 124 questions at this time, although I think I would be within my rights to do so. Nevertheless, my concern still remains.

This government has failed to provide adequate opportunity for the opposition parties to scrutinize ministry budgets under the estimates process for the past two years. Now it has failed to respond to what I believe are very responsible and legitimate questions about this government's financial administration.

As you know, Mr. Speaker, one of the historic rights and responsibilities of parliament is to scrutinize the expenditures of the crown. This government's disregard for the importance of the estimates process and now its blatant disregard of our legitimate requests under standing order 88 indicate to me that this government is either not interested in being accountable for its expenditures or is deliberately avoiding that accountability.

I ask you again, Mr. Speaker, can this House continue to sit while such a gross violation of the standing orders, under which we presumably are operating in our sitting, continues to exist?

1350

**Hon. Mr. Conway:** If I may just very briefly speak to the point of the member for Nipissing (Mr. Harris), because I had some inclination that he might be raising this question again today, as a result of the discussions here last week—I think it was last Wednesday—I have looked at the order paper questions myself.

As of June 1, 1988, there were some 316 order paper questions before us. On that date, some 107 of those had been responded to with final answers; some 16 interim answers were tabled; 45 answers were still being prepared within the 14-day rule provided by standing order 88(d); 10 were scheduled for a response on that day, June 1; 14 were outstanding.

When one sets aside the 124 questions that are on the order paper, to which the honourable member has made specific reference, I ask any member—and you included, Mr. Speaker—to look at Orders and Notices. Some 124 questions are very detailed. They are certainly going to be responded to as quickly as we can. I must say that it seems to me those questions are the kinds of questions that we would ordinarily want to take up in estimates, though I certainly realize the desire of honourable members to have responses.

It is the intention of the government to answer those 124 questions with a response as quickly as it can, though I would ask every honourable member to look at the pattern of those 124 questions and wonder whether or not a more appropriate place for that discussion, once those answers are provided, is in the estimates debate.

**Mr. Harris:** If I might speak on the same point, I think it is particularly relevant. The government House leader has said the appropriate vehicle is estimates. These questions deal with the last two years. The estimates are gone. He refused to give us the time in the committees for estimates, so that is now past.

The questions are four very simple, direct questions to each ministry. They are all the same. We are asking each ministry, if it is half serious about the estimates process, to give us the information that it would surely have ready and was prepared to go with on the estimates anyway. There should not be any time involved in finding these answers, if in fact the government ever intended to do the estimates in either of the last two years.

**Mr. Speaker:** I think we are really debating the point of order now. I listened very carefully. The member for Nipissing, I believe, made two points in his opening comments. The one point was, of course, the number of questions that have been unanswered, and the government House leader has responded. I am certain the government House leader has again been served notice and will do his best to make sure those are responded to.

As far as the other point made in the member's opening point of order is concerned, he asked the Speaker whether the House can sit under such conditions. I see no way that the Speaker would have any authority under any of the standing orders to adjourn the House for such conditions.

## STATEMENT BY THE MINISTRY

### 1989 ONTARIO WINTER GAMES

**Hon. Mr. O'Neil:** I am pleased today to announce that the city of North Bay has been selected to host the 1989 Ontario Winter Games. I congratulate his worship, Mayor Stan Lawlor, and the games organizing committee on the excellence of their bid.

Thousands of Ontario athletes have benefited from my ministry's summer and winter games program. Over the years, these championships have attracted more young people to amateur sport, and some of them have gone on to make their mark in national and international competition.



Hosting the games is indeed an honour and also brings substantial economic benefit to a community. At the 1989 Ontario Winter Games, North Bay will welcome 3,000 competitors, coaches, trainers and officials, as well as thousands of visitors who will come to cheer on the athletes.

These athletes, aged 14 to 20, will compete in over 20 events and each event will be the Ontario championship for that sport. Hosting provincial competitions on this scale demands a high level of civic spirit and the hard work of hundreds of volunteers. I have full confidence in the spirit and energy of the people of North Bay, and I am sure they will make the 1989 Ontario Winter Games a tremendous success.

## RESPONSES

### 1989 ONTARIO WINTER GAMES

**Mr. Breagh:** We are pleased to welcome the announcement by the minister this afternoon. I must say that one of the things Ontario does well is quite an outstanding effort at putting together showpieces for athletic competitions such as this one, and they are worth while.

They are opportunities for our young athletes to compete in a setting that is sometimes unfamiliar to them but is precisely the kind of competition they require. It offers many of our municipalities the opportunity to highlight their athletic facilities and their ability to sponsor and co-ordinate events of this nature, which are, as I know as one who has been involved with them in the past, not easily done but certainly worth while doing.

There is just one thing that is missing for an amateur athlete in Ontario and that is the strong support many other nations and many other provinces offer to their athletes between competitions of this nature. I know the minister is aware of this problem and is working on it. I welcome his announcement today of the Ontario Winter Games. I would simply like to remind him and all other honourable members that athletes who participate in showpiece events such as this get one day of glory. The problem is that the rest of the year they have to work and train under very difficult circumstances.

While I welcome the showpiece events, I would simply like to remind the minister that there are young people working out today, very hard, all day, every day, trying to qualify for events of this nature. If he would support them on the other days as he does when these major events are on, they would be much better athletes, much

better able to compete on an international level and we would all be very happy.

**Mr. Harris:** It is difficult for me to get up and slam the minister today. Although I am sure if I put my mind to it I could find hundreds of areas where the ministry, this minister and this government should be criticized, today is not one of those days, obviously.

I want to congratulate the selection committee on recognizing what we in North Bay have known for a good deal of time, and that is the considerable expertise that exists in our community to host an event of this type. I speak of the North Bay parks and recreation department, particularly Alderman Don King who heads up that department and who has been a driving force for recreation in North Bay and area.

**Mr. Wildman:** Mike, I thought you made this announcement on Friday.

**Mr. Harris:** We were not going to get into that today. The minister and I have made a deal.

Alderman Don King, really over a great number of years, as the former reeve of Widdifield township and now as chairman of parks and recreation for the city of North Bay, has spearheaded a drive for excellence in staff and facilities and in co-ordinating volunteers throughout our city. I congratulate him for that.

I also want to comment on Murray Shave, David Saad, Jamie Huston and Terry Talentino, staff of the parks and recreation department in the city of North Bay, people we are very proud of in our community.

I want to congratulate the minister and this government for carrying on the tradition of excellence among athletes in Ontario that has been started, to thank them for carrying on the tradition of the summer and winter games throughout the province and to say, of course, that we are delighted to be able to play host, as the minister has said, to some 3,000 athletes, coaches and parents who will be visiting our community next February.

In the seven years I have been a member, I think there is one person who has consistently provided me with information and research and writes a lot of the material I use. He has pointed out to me that at one time or another I have mentioned in Hansard some 50,000 people who live in my riding and I have never mentioned him. That is Bill King, my executive assistant, who was a participant in the 1974 winter games. He tells me what a wonderful program it was and how delighted he was to share in that experience as a young curler from West Ferris Secondary School.



I have now accomplished that. I do not have to get his name in the record before the next election.

**1400**

There is a gentleman who still remembers very vividly that experience of some 14 years ago. These games do have a significant impact, not only for athletic excellence but also for the friendships with the other people and other athletes they meet across this province, and visiting other cities and other ways of life.

I congratulate the minister, obviously, on the selection. More particularly, I congratulate the host committee. The one person I have not mentioned, to whom the games are going to be turned over to co-ordinate, is a gentleman by the name of Arnie Schmidt, who is well known in our community, a very active Rotarian, head of the boys' choir in the city of North Bay. I can think of nobody more qualified than Arnie Schmidt. I know his organizational abilities at first hand. I witnessed them in 1981, 1985 and 1987. Nobody is more qualified than he is to organize an event of this magnitude.

I look forward to welcoming all of the members of this Legislature to North Bay next February.

## ORAL QUESTIONS

### UNIVERSITY FUNDING

**Mr. B. Rae:** I have some questions today for the Premier, in the absence of the Minister of Colleges and Universities (Mrs. McLeod).

The Premier will know that at the end of next week, students, some 55,000 strong, who have applied to our universities will be hearing from various universities as to whether or not they have got into university. Also, we have today a report sponsored by the Ontario Federation of Students entitled *Cut to the Bone*.

As a result of the cuts which have been instituted by his government in terms of real funding in comparison with real costs, and as a result of the increase in applications from students, the Premier should know that there are many within the Council of Ontario Universities who are estimating that as many as 1,000 students who have applied to university will not be able to get into university or into anything like the university of their choice and, as a result, will not attend.

When he was standing in this place, the Premier had some very hostile things to say about a government which betrayed its promise to women, which betrayed its promise to newer Canadians, which betrayed its promise to many

of those who would not be able to get into university. I would like to ask the Premier why he has not made good on the promises that he made to the young people of this province that there would be places for them within our university system.

**Hon. Mr. Peterson:** With great respect to my friend opposite, I completely disagree with his analysis of the situation. I ask him to look at the facts, at what has happened in the last three years in our three budgets and at the increases in funding. We have made post-secondary funding a priority. I agree with my honourable friend that prior to that there was a real cutback and things were in some trouble. I think if he looks at the trends, we have reversed that very substantially.

**Mr. Jackson:** You need 85 per cent to get into Queen's, for God's sake.

**Hon. Mr. Peterson:** The member for Burlington South (Mr. Jackson) is sort of mumbling in his beard over there, but he must be embarrassed to do that as the Education critic now, because we have made real increases.

Let me say that in the last three budgets the increase has been some 25 per cent for operating funds, which is roughly double the rate of inflation, so I do not think my honourable friend can stand in this House and legitimately use the word "cutbacks." Those are real increases beyond the rate of inflation.

**Mr. B. Rae:** The bottom line for how well the government has done is whether students in the next two weeks are going to hear and are going to be able to get into the university of their choice. That is the bottom line and that is the message from this government, that in fact that is not going to happen.

When the Premier looks at the report from the Ontario Federation of Students, he will perhaps be able to answer this question. If he has funded the universities so well, and if in fact there have been the kinds of increases that he has indicated, can he explain why the share of spending by this government is 22 per cent less than it was by the Tory government back in 1977-78 when it comes to all of the provincial budget? Can he explain why the University of Toronto library is having to cut 1,500 journals a year from its purchase program; why there are examples contained in this report of labs having equipment that is 20 years out of date; of students attending classes sitting in the corridor having to listen to lectures—

**Mr. Speaker:** Order. The member has asked three questions.



**Hon. Mr. Peterson:** My honourable friend is aware that the universities are autonomous and make their own spending decisions—

Interjections.

**Hon. Mr. Peterson:** —but let me say, just look at the facts. The facts are there. As I said, the operating funding has gone up at roughly double the rate of inflation. You have seen for the first time a long-term capital program in place; some \$400 million over the next little while. You have seen enormous infusions of capital and operating funds into the centres-of-excellence programs. You have seen the Ontario student assistance program increase, I think by some 34.2 per cent in the last three years.

I say to my honourable friend that I just do not think his characterization is quite correct and I think in fact we are seeing some major progress being made in restoring quality to our post-secondary system. You can always make the argument, and he always will, in this and anything else, that it is not enough. That is fair enough; that is one of the joys of standing in the position that my honourable friend does; he can always argue that whatever it is, it is not enough.

I say to him that we are making real progress in that regard. We have started to pull the system out of the trough. I was at the opening of the Institute for Space and Terrestrial Science and I can tell him that there is enormous enthusiasm in the academic community about the major progress that is being made by this government.

**Mr. B. Rae:** Let me then ask the Premier another question. If he is unable to answer the earlier two, let me ask him this one. Can he stand in his place today and make a guarantee on behalf of the government of this province that as of September there will be a place in our universities for every single student who is qualified to attend? Can he make that commitment?

**Hon. Mr. Peterson:** The universities, obviously, make their determinations on who is qualified and that kind of thing. I think and we believe that our post-secondary system will accommodate all the students who are qualified and wish to go. I cannot argue that everyone will have his first choice of university and/or faculty, but we believe the system will accommodate them.

#### INDEPENDENT HEALTH FACILITIES

**Mr. B. Rae:** I have a question to the Minister of Health concerning her bill on the commercialization of health care and the funding by the government of Ontario of that commercialization and of private profit medicine.

What good is her preference, so-called, going to be for nonprofit care when, since 1971, funding for private profit nursing homes has increased from some \$30 million to some \$367.4 million; when in fact 93 per cent of the money that is going on extended care for nursing homes goes to private profit operators?

I wonder if the minister can tell us how seriously we should take the so-called preference stated in the legislation for nonprofit care when we consider the gross commercialization of care for the elderly that has taken place under both Tory and Liberal governments, at taxpayers' expense—commercial care, in many cases poor care, which is being offered, subsidized by the state? Why should we believe the minister is going to do any better when it comes to so-called community care?

**Hon. Mrs. Caplan:** I think the Leader of the Opposition has missed the point of the legislation. Compared to the situation that exists right now, where there is absolutely nothing in place which prevents an American for-profit company from establishing in Ontario, this legislation clearly states a not-for-profit Canadian clause.

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**Mr. B. Rae:** It does not state it. If the minister will read the legislation, what she will find is that instead of saying no to commercial care, instead of saying no to American-based care, all she says is that either Canadian commercial companies or nonprofit companies will be given something called a preference.

Well, that was her policy on nursing homes. Fully half the licences which the ministry has awarded since the Liberals became government in the nonhospital sector have gone to for-profit care when it comes to nursing homes in this province. That is the government's so-called preference.

When it comes to labs, the share of government money going to private for-profit labs has increased from 30 per cent in 1974 to 40 per cent in 1985. We have seen that kind of increase in labs. We have seen that kind of increase in nursing homes. Why should anybody take the minister seriously when it comes to care in the community? We know perfectly well that this is a foil not for less commercial care but in fact for more.

**Hon. Mrs. Caplan:** In fact, this legislation is not at all comparable to the Conservative government's nursing home legislation. This has a clear preference for nonprofit Canadian proposals.



**Mr. R. F. Johnston:** What about your record?

**Hon. Mrs. Caplan:** As far as our record goes, I am very proud of the fact that we are making progress and that 66 per cent of all the beds that have been awarded under nursing home proposals have gone to nonprofit; 66 per cent of all of the beds awarded have gone to not-for-profit organizations. I am proud of that record. Previous to that, we know that some 96 per cent of nursing homes were in the private sector. We are making progress and we have clearly stated a not-for-profit Canadian preference.

**Mr. B. Rae:** Can the minister tell us why her legislation, which she has said provides so much protection for people, establishes under section 33 the following weasel-word and sucker clause? Wait for this one. Do the members want to know a loophole? The Attorney General (Mr. Scott) outdid himself. When he looked up the book in his library under "loopholes," he pulled out a whopper. It says: "The Lieutenant Governor in Council may make regulations, (1) exempting any health facility or class of health facility from the application of this act or the regulation or any provision thereof...." What it says is, "This is the law unless we decide that this isn't the law." That is what this says. You could drive a truck—

**Miss Martel:** Without brakes.

**Mr. B. Rae:** —without brakes, through this loophole which the government has established here.

What is the point of asking us to pass legislation when the government is giving itself, the Attorney General, the Premier (Mr. Peterson) and the minister in the cabinet, the power to exempt any facility it decides? If the government wants to exempt Extendicare, Para-Med or anybody else, it can exempt them.

**Mr. Speaker:** Do you have a question?

**Mr. B. Rae:** Does the minister not think it is disgraceful to come to this House and pass legislation and give the government the power through executive fiat to exempt the whole law? Does she not think that is a bit of a joke?

**Hon. Mrs. Caplan:** I have said a number of times in this House that I think the reasonable comparison for the Ontario health care system both in per capita funding and in our general regionalized system of a national health system is Sweden. I have come across a quote that I think might be of real interest to the Leader of the Opposition, whose philosophy might be said to be similar to the Swedes'. This is from *The Swedish Health Services in the 1990s*, by the National Board of Health and Welfare Sweden:

"Privately run medical services supplied mainly by full-time doctors and physiotherapists are a valuable complement to public health services. This segment should continue to receive public funding via the public health insurance scheme. However, the prime requirement still remains to achieve a fair allocation of health resources to ensure that the entire population receives an equal share of the services available."

That is from Sweden.

## BUDGET

**Mr. Brandt:** My question is to the Premier and it relates to the position that is being taken by many economists and many business people in Ontario relative to the high dollar value of Canadian currency which we have at the moment and also the high level of interest rates. Some of these spokesmen have indicated that Ontario stands to lose many millions of dollars in export sales as a result of that two-pronged attack on the competitiveness of Ontario's position, namely, a high Canadian dollar and high interest rates.

Would the Premier concur that that position is one he shares relative to the viability of our continued export sales to not only the United States but also to other countries in the world?

**Hon. Mr. Peterson:** In response to my honourable friend's question, which I am sure is a setup for a supplementary, let me say that I agree with the honourable member in that regard and I have spoken out on this on several occasions, as he may well know.

The Bank of Canada is running a high-interest-rate policy now, some 275 basis points higher than that of the United States. One of the concomitant effects of that is to drive up the price of the Canadian dollar and that is worrisome obviously to anyone who cares about the trading position of this country.

The member and I have talked about this in the context of the so-called trade agreement. People tell me that far more important than the trade agreement—even its supporters tell me—is the fact that our currency is reasonably well priced vis-à-vis the United States; the dollar has gone up from 70 cents to 80 cents or 81 cents in the last year and a half. The Bank of Canada seems intent on driving that up, and I believe that is worrisome.

The member has heard the western premiers speak on that subject; he has heard Premier Bourassa and he has heard me speak on that subject. Now the Bank of Canada is arguing that there is some, shall we say, overheating in the economy of southwestern Ontario. But I would



argue that is not the case across the country and that the bank should be more sensitive in that regard.

I also do not believe that a government should be running a high-interest-rate policy that will prevent capital investment and, on the other hand, trying to promote trade. If the federal government is going to turn over the economy of this country to US market forces, it has to have reasonable interest rate policies in order to invest now, to be productive in terms of plant and capital. That is why we brought in a capital cost allowance and a research and development super-allowance in the last budget, to make sure that our companies are in a position to invest, to be competitive internationally.

**Mr. Brandt:** It was not in fact a setup question, as the Premier suggested, but there is a linkage between what I intended to ask by way of a supplementary and my lead question. That is to simply remind the Premier that his government plays a major role in the determination of what happens both with respect to the value of the dollar and, perhaps even more directly, with respect to the level of interest rates.

It is interesting to note in an article in today's Toronto Star, if read carefully, that it talks about what we admit is currently a boom in Ontario but it also suggests that Quebec is concerned about Ontario's present affluence driving up the interest rate level that is affecting the rest of the country.

The article goes on to say that Quebec did its share by bringing in a budget that was in fact less than the budget brought in the previous year. So the Quebec government has lowered its expectations as a government, rather than increase its expectations, which is the case on the part of the province of Ontario.

By way of question to the Premier, I would just like to remind him that Raymond Pinard, the chairman of the Canadian Manufacturers' Association, has stated that, Ontario's "inflationary budget in an overheated economy" is forcing up interest rates. Since that is one of the factors that is causing high interest rates, would the Premier not agree that a more modest budget with smaller increases would have helped to keep interest rates down in this country?

**Hon. Mr. Peterson:** First of all, one has to understand, and I am sure my honourable friend does, that it is not the government of this province that determines interest rates; it is the Bank of Canada. I say with great respect to Mr. Pinard that he is talking through his hat.

I invite the honourable member to look at what we did in the last budget in fiscal terms. We have substantially reduced the deficit and the net cash requirements to the lowest level in some 19 years. This is, by any standards one wants to use, anti-inflationary. I say to my honourable friend that compared to the other provinces, the total revenue taken as a percentage of gross domestic product is the lowest in the country at 15 per cent here in this province.

I ask the member to look at inflation last year in this province, about 5.2 per cent. Our projections are it will be about 4.6 per cent next year; in fact, in April it was 4.2 per cent. So inflation is coming down in this province.

I say to my honourable friend that he would want to look at all of the facts attendant thereto and he would find that we are, I think, meeting the needs of the people of this province of Ontario in a financially responsible way, with reduced net cash requirements, reduced deficit. Our net cash requirements and our deficit are much, much lower as a percentage of our gross domestic product than those of Quebec or the federal government or most other governments, for that matter.

So I say to my honourable friend that I think we face the future with far more financial flexibility than we have in a very long period of time and we are meeting the legitimate needs of the people of this province in a fair taxation environment.

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**Mr. Brandt:** I think the Premier is well aware that the only way in which he reduced the deficit—and he still has \$500 million to get out of his current budget in order to bring the deficit down to the announced figure—but in order to do that, he had to increase taxes at a historically high rate.

Could the Premier perhaps share with this Legislature and the people of Ontario why it was in 1972 that the Treasurer (Mr. R. F. Nixon), who brought in this past budget, indicated that the last increase in sales tax, which went to seven per cent at that time, was in fact an inflationary measure on the part of the government, whereas his increase in sales tax from seven to eight per cent in 1988 is not inflationary? How can he bring those two positions together and hope the people of Ontario are going to believe him?

**Hon. Mr. Peterson:** I cannot speak for what my honourable friend the Treasurer said in 1972; I was not here. But I know that he has for a long period of time pronounced very wisely on the events of the day. The member will recall that in



that year Mr. White brought in a two-point increase in the sales tax on that particular occasion.

My honourable friend is upset with sales taxes and the kind of taxation we do to meet what we consider to be the legitimate needs of the people of this province. On one hand, he says our taxes are too high and, on the other hand, he is saying we should be spending more for hospitals, universities and anything else that hits his fancy. What he may want to do, because I know how close my honourable friend is to the federal government, is to address his mind to some of the problems they have presented, as well.

The federal government, with sales taxes, has taken more out of Ontario with its last budget than our entire budget. Its telecommunications service tax of 10 per cent will take \$348 million, a flat tax. The federal sales tax rate of 15 to 18 per cent on liquor and tobacco is taking \$70 million. The paint increase from eight to 12 per cent will take \$24 million. The federal sales tax rate increase from 10 to 11 per cent and to 12 per cent on April 1, 1986, will take another \$890 million, and its gasoline tax, another \$120 million. Through the sales tax mechanism, it has taken \$1,452,000,000.

If my honourable friend is concerned, he will want to share that with his close friend Michael Wilson, who, I assume he would believe, is creating inflation in Ontario.

**Mr. Brandt:** Michael Wilson would want me to share with the Premier—

**Mr. Speaker:** New question. To whom?

**Mr. Brandt:** —the fact that his expenditures went up five per cent last year while the government's went up over 10 per cent. He would want me—

**Mr. Speaker:** The question is to— Order.

#### RETAIL STORE HOURS

**Mr. Brandt:** My second question is in fact for the Premier, as well. He indicated some time ago that the Retail Business Holidays Act was too complicated and too unworkable to continue for this province and that he had to bring in new legislation. Can the Premier explain the relationship between the legislation he proposes to have passed by this House relative to the Sunday shopping question and the impact of that on counties, regions, local councils and unorganized northern municipalities?

I ask that question because there seems to be some confusion as to who in fact has the responsibility for making a decision relative to Sunday openings. Could he share that with us?

**Hon. Mr. Peterson:** There is no confusion at all. I am sure if my honourable friend attends the debate to be introduced this afternoon, the honourable minister will explain all that to him. I know he has been too busy to read the bill, but I think he will find it brings a real new simplicity and a fairness, and supports the concept of local option where individual municipalities can make their own determinations. I am sure my honourable friend, on reflection, will find it fair, understandable and enforceable.

**Mr. Brandt:** I am sorry the Premier has not had an opportunity to read the bill, because he could not give me an answer. I only have to say that it was about a week ago that my colleague the member for Carleton (Mr. Sterling) asked a question of the Solicitor General (Mrs. Smith) with respect to this very same matter. The member for Muskoka-Georgian Bay (Mr. Black) had some confusion in his mind relative to the same question.

**Mr. Eves:** That is not unusual.

**Mr. Brandt:** Some of my colleagues are suggesting it is not unusual for the member for Muskoka-Georgian Bay to be confused about a vast array of issues. I would not take that position. However, I say to the Premier, if there is that much confusion among his ministers and back-bench members relative to who has the authority and responsibility in connection with this very important question, could he perhaps share with us how he expects the rest of the people of Ontario to understand it when the minister sitting right behind him and a member within two rows of him do not understand it? How does he expect Ontario citizens to understand it?

**Hon. Mr. Peterson:** I think the whole matter is quite clear, and I guess my honourable friend opposite is speaking to his own confusion on the matter. I do not think there is any confusion on this side of the House or that end of his side of the House. I think that this government and this caucus is quite clear on the matter.

[Applause]

**Hon. Mr. Peterson:** The member can hear that anybody who claps understands the bill, so I do not think there is any particular confusion. He will have an opportunity to go into this in some detail and depth this afternoon, and it is going to be in committee. If my honourable friend has worries, he can express them then or bring forward any amendments that he has.

**Mr. Brandt:** I have raised this question with the Premier before. Recognizing that we have



religious leaders in this province, organized labour, the Association of Municipalities of Ontario, the retail business community and a high percentage of the people of this province who have indicated very clearly to the Premier that they do not like his legislation, they think it is wrong and they feel that he is threatening a day of rest, a day of pause, in this province—in light of the tremendous opposition and the thousands of petitions which he has received and which we have placed before this House relative to this very important question—why does he not simply back off of legislation that he knows to be wrong for this province?

**Hon. Mr. Peterson:** I appreciate the honourable member's advice, and I understand that there are certain people who disagree with the approach this government has taken, but one of the things we have found is that there was an enormous emotional reaction at the beginning, perhaps fuelled by misunderstanding. I know some politicians who felt it was their responsibility to create some misunderstanding about this bill, but when people fully understand the implications of local option, when they realize that communities are different, when they realize that each community is now empowered to make its own decision—if Sault Ste. Marie, for example, wants to be open, why should it not be? If Niagara Falls has special consideration, or Point Edward, people are very comfortable with that concept.

They are understanding now that it was not the bill as originally characterized by some. Then they are seeing some of the other provinces adopting the same kind of status, for example, Saskatchewan. My honourable friend, I know, is a great admirer of the politics of Grant Devine of Saskatchewan. There are a lot of similarities between the two of them, I have noticed on many occasions, and he has introduced a bill very similar to ours in that regard. Again, I think it shows that Ontario respects democracy, it respects the local communities and, again, Ontario is in the forefront of policy leadership across this country.

**Mr. Philip:** Since the Premier obviously cannot answer the last three questions, I will see if the Solicitor General (Mrs. Smith) knows the bill a little bit better.

The minister will be aware that, in 1987, the Nova Scotia government found it necessary to introduce legislation repealing the municipal regulation of Sunday shopping. In repealing the legislation, the Attorney General, the Honourable Thomas Donahoe, complained that the

municipal-option route created a patchwork quilt of what would be open. Can the minister tell the House why residents of Ontario should expect anything different in Ontario in introducing this kind of legislation, the very same type of legislation, to Ontario?

**Hon. Mrs. Smith:** The member for Etobicoke-Rexdale will be very aware of more than one aspect of this. In the first place, it is quite demonstrable that, in this province, we already have quite a patchwork of legislation, basically opened under the onus of the tourist exemption clause. He would know, as well, that any municipality in this province can, indeed, call upon that one clause and open as it pleases and add to the patchwork as it pleases. But I would point out to the member that there is some value in the patchwork as well because, in this province, we have very different neighbourhoods and very different communities, which indeed have different needs.

Tourist areas may very well need to be open during the tourist season and to have Sunday shopping available if they are to survive as communities. On the other hand, that same situation may not apply at all to an area such as my own, London et al., that may prefer to see it closed Sunday, as they have said. We therefore think that because of this variety within the province, the local municipalities can best address the problem for their own area.

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**Mr. Philip:** It may come as news to the Solicitor General that there are different areas in Nova Scotia. They are quite different from one another. There are actually tourist areas in Nova Scotia also. Why would the minister introduce legislation which was such an abominable failure in another province that it had to be repealed only two years later? Why is she trying to impose on Ontario the same kind of legislation that failed so obviously elsewhere?

**Hon. Mrs. Smith:** Nova Scotia is a province that rules itself according to its own needs. We have looked very closely at the needs of our province. We have spoken to people everywhere. We have looked at what is fair for the people of this province and we have made a decision based on the needs of this province, which is way larger, has much more variety and has much more diversity. Many of our communities border on American cities and this is not the case in Nova Scotia.

#### PHYSIOTHERAPISTS' FEES

**Mr. Eves:** I have a question of the Minister of Health. Two years ago, on May 22, 1986, her



predecessor promised the Ontario physiotherapists fair and equal treatment with respect to Ontario health insurance plan fees. Physiotherapists, the vast majority of whom are women, are being paid considerably less for physiotherapy treatment than is being paid to the medical profession, to doctors. The ministry has not closed the gap after more than two years, and negotiations, which started last fall, have now broken down. When is she going to live up to this commitment and close the gap?

**Hon. Mrs. Caplan:** My primary concern is for fair compensation to be paid to the physiotherapists working in private clinics. The clinic owners have been asked to allow the ministry access to their financial records to ensure that any increases would be directly passed on to their clinic workers. They have not agreed, and negotiations have broken off.

**Mr. Eves:** The ministry has offered to close the gap only if the physiotherapists are willing to submit to two unprecedented, and in their minds, unreasonable requests for confidential information that her ministry does not demand of any other health care professional.

Why is the minister picking on the physiotherapists? Would it not seem reasonable to her to treat them the same way she treats other health care professionals? When is she going to step into the picture and live up to the commitment that was made more than two years ago and reiterated by her in this House on December 16, 1987, to close the gap and treat physiotherapists in the same manner she treats other health care professionals in the province?

**Hon. Mrs. Caplan:** First, it is not my position to negotiate in public. I want to make that very clear. We are willing to meet at any time with the Ontario Physiotherapy Association, but it is important to note that 80 per cent of the physiotherapists in this province work in hospitals and on other than fee-for-service methods of payment. The member is now at this point in time talking about negotiations between the ministry and clinic owners whose clinics, I might mention to the member opposite, would fall into the category of privately run facilities, if you will, as opposed to nonprofit facilities.

We are open to coming back to the table at any time. Let me state again that my concern is to make sure that any increase goes directly to the physiotherapists who work in those facilities, so that there is fair compensation. I am very concerned that we portray this issue accurately for what it is.

## TRADE WITH UNITED STATES

**Ms. Hart:** My question is to the Premier. It concerns the recommendations of a report about United States legislation implementing the Canada-US trade agreement. The joint recommendation of the US Senate finance committee and the House of Representatives ways and means committee calls into question Canadian federal and provincial rights to have a home-grown trade strategy.

The two committees have commissioned from the Office of the United States Trade Representative an audit of all Canadian federal and provincial trade practices and the legal authority for those practices to enable Congress to retaliate quickly where it feels American companies have been disadvantaged.

The recent Premier's Council report, *Competing in the New Global Economy*, emphasizes the need to foster Ontario high-technology companies, particularly by tax incentives for their research and development efforts—

**Mr. Speaker:** Do you have a question?

**Ms. Hart:** Yes, Mr. Speaker—and for their encouragement by means of government procurement. Does the Premier see any unresolvable conflict between Ontario's aspirations for globally competitive Canadian companies and the attitude of Congress towards the Canada-US trade agreement?

**Hon. Mr. Peterson:** Let me thank the member for the very thoughtful question. I think the question draws attention to one of the unfortunate offshoots of this particular trade discussion that has gone on with the United States, and that is that we have now invited more scrutiny of a number of the things that are going on presently.

The honourable member refers to a report commissioned by Congress to go into detail on all the things that we are doing now to assist our industries to be competitive, presumably with the sense that the Americans are going to come after us if we do not comply with their particular hopes for us or if they do not feel we could come under the trade agreement.

We believe, as a government, that there are a number of things we can do and we should be assisting government with, be it research and development or technology questions and, as in the last budget, helping small and fledgling companies with engineering support and assisting from a tax point of view. We think all of those things are very helpful.



Those now may be seen as subsidies under the trade agreement and we could invite attack by the United States. I find that an unfortunate offshoot of this particular discussion and, in a sense, it was unnecessary. The entire pressure is going to be to try to harmonize with the United States and play by the same rules it does, even though it subsidizes its companies in other ways. But we always seem to be the demandeurs, and not they.

I think the honourable member points to one of the pressures that we have willingly subjected ourselves to. It is most unfortunate because we will lose our capacity to assist our own industries and engage in regional development, something that is important to our Canadian economy.

**Ms. Hart:** As if it is not enough to neutralize our own companies' efforts at research and development, the two committees also take aim at Canada's ability to impose any performance requirements on US subsidiaries in Canada, including technology transfer and research and development. They want it eliminated. Can the Premier comment on what effect this elimination would have on our Ontario companies?

**Hon. Mr. Peterson:** One of my concerns with the trade agreement is that I think it will tend to reinforce this country as hewers of wood and drawers of water. We are already running a very large, high-technology deficit with the United States at the present time. We believe that the future of our country and its material wellbeing are going to be a function of its ability to handle the intellectual-value-added information revolution that comes along.

I think that this will hurt us, as we try to help those companies. Who knows? They may come after our centres of excellence. Who knows? The discussions on regional development will go on over the next five to seven years. Under the terms of this agreement, they may say there are certain things we cannot do in New Brunswick or Newfoundland or certain other provinces that do need help regionally.

This government has always supported the principle of regional development right across this great country. We want to help other provinces to build their industrial infrastructure. We are assisting in buying coal in western Canada. We have assisted in lending money to Newfoundland and will continue to do so because we believe in equalizing opportunity for all Canadians. But this may well prevent that kind of action from taking place, and I think it would be regrettable for our entire country.

#### WATER QUALITY

**Mrs. Grier:** I have a question for the Minister of the Environment. Last week we heard that the

toxics in the Niagara River were increasing. The week before, there was a toxic spill from Polysar into the St. Clair River.

**Mr. Brandt:** No, that is not right.

**Mrs. Grier:** An alleged toxic spill, says the member for Sarnia.

**Mr. Brandt:** No, no, come on now. The spill never reached the river.

**Mrs. Grier:** Both of these have made the people in the province apprehensive about the quality of their drinking water. Is the minister satisfied that existing guidelines are sufficient to ensure the protection of the drinking water in the province?

**Hon. Mr. Bradley:** As the member would know, the Ministry of the Environment conducts, under its drinking-water surveillance program, a survey of a large number of municipalities in Ontario, to look at the treated drinking water to determine whether it meets the health guidelines of Ontario, and we have found indeed that is the case.

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We have, in addition to that, undertaken a program which we call the plant optimization program, which ensures that those plants that are in existence in Ontario to treat water for the purposes of drinking have people there who have taken any of the specialized courses which are necessary. In other words, we are trying to assist them to upgrade in that regard, but the equipment itself is in the best of working order, and if there are any capital works that are required, those capital works are undertaken.

Certainly we do very extensive testing. The member would know we test for over 100 chemicals, for instance, to determine whether there is a presence of those. My thrust, as the member knows—and I think she agrees with this, although she will certainly speak for herself—is to get at the sources. We are at the present time getting at the sources of contamination across Ontario. We cannot control the international sources but we certainly make an attempt to persuade our neighbours that they should do so.

**Mrs. Grier:** What I asked about was the existing guidelines. When I introduced the safe-drinking-water bill in 1985, the minister told the House that he was working on a drinking-water strategy. When the question was raised again in December 1987 and he was asked about the drinking-water strategy, he said, "It certainly is well along the way."

Can the minister tell us today why, in June 1988, we have in this province no legislated



standards for drinking water but guidelines which were established in 1978, which are unenforceable and which cover only 42 of the substances found in the Great Lakes?

**Hon. Mr. Bradley:** As the member would know, for instance, her favourite program, the municipal-industrial strategy for abatement, is in the process of developing a regulation in terms of monitoring and then of abatement which will have the result of cutting off the sources of contamination to major waterways in this province.

She would know as well that if we compare the quality of our water to others, it is generally better than others. It is not perfect in Ontario—I do not want to suggest that is the case—but we find in our comparisons and with all the testing that we do that we have a high quality of water. I was listening to a program as I was coming in today on the radio where an independent person—independent of us, that is—was making exactly that point.

This does not mean we are not always striving to do better. We are always striving to perfect the equipment that we have in place. We are always striving to bring about the kinds of measurements which are necessary to ensure that we have a good quality of drinking water for people in this province, but I do not want to take off the emphasis on getting at the sources of contamination.

We can build up all the defences we want—and yes, they are important and we have done it over the years—but the key is getting at the sources, and that is what our very tough regulations in this province are doing at the present time.

#### USE OF GOVERNMENT AIRCRAFT

**Mr. Harris:** I have an article I would like to talk to the Minister of Natural Resources about, from the Daily Miner and News of April 15.

“Kenora MPP Frank Miclash recently completed a tour of northern communities in his riding. The focus of the tour was to meet with community leaders to discuss their views and concerns.

“During the three-day tour, which began March 15, Mr. Miclash visited constituents at Weagamow Lake, Sandy Lake, Sachigo Lake, Muskrat Dam Lake, Bearskin Lake”—a few others, Red Lake and Sioux Lookout.

“The northern tour provided me with an excellent opportunity to meet with native leaders to discuss a variety of issues and government programs.’...’Tours such as this will enable me

to better understand and, therefore, better represent all of my constituents.’”

I would like to ask the Minister of Natural Resources: in view of the fact that northern members have a \$2,500 northern travel allowance to pay for this kind of travel, can he tell this House when the government decided that back-bench members of the Liberal Party could requisition Ministry of Natural Resources government aircraft for constituency and political business such as this?

**Hon. Mr. Kerrio:** I would have to get back to the honourable member when I am able to examine the question that he raises. Of course, I do not have the material with me here.

**Mr. Harris:** I guess what the minister is saying is that he has not changed the policy or he did not approve the trip.

Let me say that I do not think anybody objects to a member meeting constituents, but I would like to ask the minister, while he is waiting to check into it, whether he thinks it is appropriate that back-bench members can requisition Ministry of Natural Resources aircraft.

The news report goes on to state, “Mr. Miclash was accompanied by two representatives from the Sioux Lookout district of the Ministry of Natural Resources.” They accompanied him on this three-day tour of the riding.

I think it is bad enough that his travel agency flies a Liberal MPP around in a government plane for three days, but how can the minister justify sending along two MNR civil servants as tour guides, and will this travel service for airplanes and staff be extended to all members of the Legislature?

**Hon. Mr. Kerrio:** I certainly took the question as notice and I am very much prepared to get back to the honourable member. But just to make a couple of comments that come to mind, one answer that comes to mind right now is that it is about time northern members began to go across northern Ontario to see what is in the best interests of the people of northern Ontario.

That has never been done before, except for maybe one of the people the previous government had up there who was supposed to act like the governor in northern Ontario and not really do the kind of job that is being done by the northern members right now. I am proud of the way they are examining the problems of northern Ontarians and reporting back to this government, which is going to do something about it.

Interjections.

**Mr. Brandt:** The applause was a little weak on that one.



**Hon. Mr. Kerrio:** What a ridiculous question from the member for Nipissing, and he knows it.

**Mr. Brandt:** You even embarrassed the member for Ottawa East (Mr. Grandmaître) when you answered that one.

**Mr. Speaker:** Order. The minister has completed the answer. The member for Sarnia has already asked questions.

#### 1996 OLYMPIC SUMMER GAMES

**Mr. Callahan:** I have a question for the Minister of Tourism and Recreation. In the light of the minister's statement in the House today that North Bay was receiving the Ontario Winter Games, it brought to mind a concern I had meant to ask him about on an earlier occasion.

Recognizing the fact that Toronto is bidding for the 1996 Olympic Games, I would like to inquire of the minister whether or not he is following this in co-ordination with Toronto and whether or not it would be the intention, should Toronto be successful, that it would use satellite facilities.

The reason for my asking that is that Brampton, the city I represent, has very excellent facilities that would be of assistance and I would like to inquire of the minister whether or not satellite game sites will be employed, should Toronto be successful in getting the 1996 Olympics.

**Hon. Mr. O'Neil:** I can tell the member that it is the intention of this government, and I believe also of the Toronto Ontario Olympic Council, that should we be successful in obtaining those games, we will certainly be hoping to spread the facilities where the games and the different events will be held throughout parts of the province. I can certainly tell the member that Brampton will be considered in those discussions.

**Mr. Callahan:** My supplementary may not be as good as my first question, Mr. Speaker, but I would like to inquire of the minister whether or not, recognizing that existing communities around the Toronto area will be used as satellite locations, there will be consideration of any additional funds to assist those communities in upgrading or establishing additional facilities to be used, with reference to the uses suggested, as satellite communities.

**Hon. Mr. O'Neil:** As the member and the members of the House should be aware, I think last year we put approximately \$28 million into our capital conservation and new capital program, but I can tell the member also that in the

studies that we are preparing for the Toronto Olympics, we are consulting within our ministry and with other people within the government and people outside the government as to what type of facilities would be required. I can certainly tell him that we are also looking at the funding aspect.

#### ZOO LICENSING

**Mr. Philip:** I have a question to the Minister of Natural Resources. The minister indicated on May 18 that he was studying the possibility of bringing in some regulations to regulate private zoos. On Friday I visited a zoo north of Barrie with zoologist Dr. Ron Orenstein, at which time we identified at least three different situations which are potentially dangerous to the public, particularly children.

Since the minister is not prepared to introduce any legislation at this time, what does he intend to do to protect the public from situations that are potentially dangerous to them in these zoos?

1450

**Hon. Mr. Kerrio:** Of course I did not say that I was not prepared to introduce legislation. We are very much willing to do that. The legislation that I am going to introduce is certainly in keeping with looking after the wildlife in the province of Ontario, not only that native to Ontario but also the other wildlife that is imported from offshore. I told the honourable member that. I am very pleased that he would be supportive of such a bill; he has taken an initiative that is quite important.

The other thing I might mention now, while we are talking about that aspect of it, is that we are also examining a wildlife bill that will properly look after some of the areas that have not been taken care of in the past. Those two are in the works. I am going to share, and I will share particularly with the member because of his interest, what the initiatives will be.

**Mr. Philip:** The minister refused to share his ideas with the zoologists, veterinarians and others who invited him to meet with them on Saturday.

Pending the legislation, which hopefully the minister may introduce in the fall or at some time after that, would the minister be willing to visit each of the nine private zoos in Ontario accompanied by a qualified zoologist, identify the situations that are potentially dangerous to children and other visitors and meet with the zookeepers to see, at least until the legislation is introduced, if they can correct the situations that



are dangerous to the public and to the visitors who are coming there?

**Hon. Mr. Kerrio:** In response to that aspect to the question, I certainly would be willing to meet with those interested parties. That would be in keeping with introducing the kind of bill that would reflect the kind of situations the member has described.

I would not suggest that I visit them all, but I would be prepared to visit some, and of course staff people make certain we visit them all. We have been looking, in drafting this legislation right now, and have met with many people in that field, and certainly we would be prepared to continue in the whole format. Yes, I would be willing to do that.

#### TEMAGAMI DISTRICT RESOURCES

**Mrs. Marland:** My question is to the Minister of Natural Resources. Unfortunately, on the subject of the Red Squirrel Road extension, the Ministry of the Environment actually bungled the entire issue because a full environmental assessment hearing was not held. It should have been held two years ago, and now that it is too late they have decided it is going to go ahead.

My concern with the Ministry of Natural Resources, however, is that we understand from the press release that was given on the day of the joint press conference between the two ministries that the Ministry of Natural Resources studied all the aspects of the road's impact for 22 months.

My question to the minister today is, since the public has not had a fair or full hearing on both sides of this issue, could he tell me if there is a cutting plan for the Red Squirrel Road extension and the area south of the park such that all the merchantable lumber will be able to be harvested by 1994, which is the end of the period that is being granted as we understand it?

**Hon. Mr. Kerrio:** Certainly I would not be prepared to agree with the honourable member who has described one of my fellow ministers as handling something in less than a responsible manner.

If she were properly apprised of the whole circumstance in the area of Temagami, the member would know there was a management plan quite a while back when the logging was removed from Lady Evelyn-Smoothwater Provincial Park and that we were very much prepared, because of some misunderstanding, to do things that had not been done before. Not only did we have a voluntary environmental assessment there, but also we put in place Dr. Daniel

with people from the north who are very familiar with all aspects of the use of the particular area.

We are also going to put in place on July 1 a committee that will make that into a model forest management unit, and certainly there has been adequate ability for people at those various forums to be heard as to their interest in that particular matter. I think in fact that it was not only handled well, but extremely well.

The jobs that are to be protected there, the northern environment for people who enjoy the parks, all the things that need to be done in this model management area are being done, and they are being done in co-operation with the Ministry of the Environment as well as my ministry, the Ministry of Natural Resources, I think in the best interests of the people of all of Ontario to make certain that we have a wood supply.

In fact, a very interesting comment I might make right now is that the Saturday edition of the Toronto Star consumed 42,000 trees. We are not here to look at the lumbering interests. We are looking at providing newsprint and we are looking at providing wood for building homes, and we are looking at the things that people enjoy and somehow we have to make certain that happens in a controlled—

**Mr. Speaker:** Order.

**Mrs. Marland:** I hope I have equal time to the response of the minister because, unfortunately, he has not answered the question.

The point is that when timber is harvested it is done through the process of cutting plans, and the reason there are cutting plans in the province is that in this way the forest values are protected. In fact, it looks after all the areas that are of concern to everybody, the lumber companies and the environmentalists. Forest values include nesting areas, deer parks, recreational sites, cottages, campsites, regionally significant vegetation areas; that is why this question is so important.

The minister has now agreed to grant this extension to this road. My question, and I repeat it, is: is there a cutting plan for the Red Squirrel Road extension and the area south of the park, and will the minister table those cutting plans in this House in order to protect the environment while the work is being done?

**Hon. Mr. Kerrio:** I have to tell members that there is kind of a question to a question here. We would not even be contemplating the Red Squirrel Road if we did not have a plan to go in and take the timber. I thought that was a given which the member would understand. The reason for the road in the first place is to harvest the timber; not only to harvest the timber, but to do



things which are being done which were not done to the degree that satisfied me by her former government. That is, then, that the roads will be used for replanting those trees, tending those trees and tending them until they are free to grow, so we can count them in the inventory and not just put two in the ground and forget them, as was the practice of the former government.

Those things, of course, are being done now. It is going to take a while for some of the people to be aware that those things have been changed so radically and are being done, but I guess that is the job of my ministry, to convince people that we are doing the management plans in an extremely good way, which will augur well for all of the users in that particular part of Ontario.

### MINIMUM WAGE

**Mr. Morin-Strom:** I have a question for the Minister of Labour regarding his announcement last week that the minimum wage in Ontario is going up by 20 cents an hour, the smallest percentage increase we have seen in the last three years. The minister must be aware of some of the consequences of low-income and poverty levels on families in this province, particularly when one looks at some of the data on children, who have twice the infant mortality rate, are twice as likely to get leukaemia, three times as likely to commit suicide and five times more likely to die in an accident.

Does the minister agree that the minimum wage in Ontario today falls far short of providing an income above the poverty line for the working poor? If he does, why has he not done anything about it?

**Hon. Mr. Sorbara:** I think I made rather clear when I made the announcement about the increase in the minimum wage that it was not an initiative designed to eliminate poverty, particularly among the working poor, nor was it the basis for restructuring our whole social service safety net within the province. I think my counterpart the Minister of Labour in Quebec, in making the similar announcement, was not then attempting to do that either in Quebec.

We had undertaken some two years ago to ensure that there was an annual review of the minimum wage and that that review would lead to some initiative by the government. I know the member for Sault Ste. Marie is as concerned as I am about issues relating to poverty, issues relating to illness, issues relating to the instance of illness and particular social problems among the working poor, and I share his concern in that regard.

I simply tell the member that the minimum-wage provision governed by the Employment Standards Act is something that this government is committed to look at on an annual basis and to revise as the government thinks appropriate. In this case, we felt it was appropriate to raise it by the percentage point.

### 1500

**Mr. Allen:** It is obvious the minister apparently does not believe in a living wage. What he is proposing is that the solution has to be some kind of add-on that obviously will be social assistance of some kind or welfare.

The minister must know that he would be solving a great problem for the Minister of Community and Social Services (Mr. Sweeney), with his employability programs, if in fact he had a minimum wage at an adequate level, because all we know about the employability programs is that women and men cycle back on to welfare as a result of the minimum-wage situation.

We also know from studies of children on welfare, for example, that the rates of psychiatric disorders for six- to 11-year-olds are 40 per cent among boys and that poor school performance on welfare is at a rate of 27.8 per cent. That is the result of being in a welfare-type situation. The psychology is inescapable.

When is the minister going to do something about the minimum-wage rate that will give working-poor families a reason to be in the workforce and not on some form of social assistance?

**Hon. Mr. Sorbara:** I simply tell my friend the member for Hamilton West that the initiative we took was not designed to address those very large problems. I also tell him that neither his party nor any particular member in this House has a premium on concern for the working poor.

The member will know that my colleague the Minister of Community and Social Services has undertaken a very large scale review of those very problems. For this member to suggest that we simply solve those problems today by a major readjustment of the whole approach to the minimum-wage issue is facile. Perhaps it is politically advantageous for a question in question period, but on a realistic base it does not make any sense at all.

### PETITIONS

#### TAX INCREASES

**Mr. McLean:** I have a petition signed by 1,000 irate taxpayers in Ontario, which reads as follows:



"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."

#### RETAIL STORE HOURS

**Mr. McCague:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We wish to support the battle against wide-open Sunday shopping."

This is signed by 60 retail members of the Collingwood business improvement area. I should sign that.

**Mr. Morin-Strom:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the stated intention of the Liberal government of Ontario to change the legislation governing the conduct of business on Sundays; and"—etc., etc. We will get to the final line: "We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue, and to give effect to a common pause day for working people and working families in Ontario."

This petition has been signed by 14 residents of the province.

**Mr. Brandt:** I have a series of petitions.

The first, to the Lieutenant Governor in Council, is signed by 35 persons from the Delta United Church in Hamilton, Ontario, and reads in part as follows:

"This declaration of intention by the government of Ontario represents a major threat to what is still, in the main, a commerce-free Sunday in Ontario."

I have a petition for the Lieutenant Governor in Council, signed by 66 persons from Morningside-High Park Presbyterian Church in Toronto, which reads in part as follows:

"We wish to express our objection to any expansion of Sunday shopping within our community and province."

I have another petition for the Lieutenant Governor in Council, signed by 16 persons from

the city of Kingston and area, which reads in part as follows:

"Such a move would destroy Sunday as the common pause day for family and friends to share together. This should not be a matter for municipal governments to decide. It must be the responsibility of the provincial government of Ontario."

I have another petition, again to the Lieutenant Governor in Council, signed by 173 persons from the town of Alymer, which reads in part as follows:

"That the council of the corporation of the town of Alymer register its strong opposition to Sunday shopping in this municipality and so advise the provincial government of council's opposition."

I have a further petition, again to the Lieutenant Governor in Council, signed by 140 persons, members of the Redeemer Christian Reform Church in Clearwater, Ontario, which reads in part as follows:

"The Ontario government should revise its current legislation in order to uphold more strongly a common pause day across the province."

Here is another petition to the Lieutenant Governor in Council, signed by 52 persons from Tillsonburg and area, which reads in part as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

I have a petition from seven persons from the School Sisters of Notre Dame in Hamilton, Ontario, which reads in part as follows:

"We the undersigned do not support the extension of Sunday shopping and we also consider that the legislative authority regarding Sunday shopping should remain the responsibility of the provincial government of Ontario."

That concludes the petitions I have, but there are many more coming in every day.

**Mr. Wildman:** I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We urge the Liberal government not to proceed according to its recent statements of intent but instead urge it to maintain and strengthen the Retail Business Holidays Act, to retain under provincial jurisdiction legislation regulating Sunday work hours, to not pass"—I apologize for the split infinitive—"the buck to municipal governments on this issue, and to give effect to a common pause day for working people and working families in Ontario."

I support the petition.

**Mr. McCague:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario from 150 families of the town of Collingwood.

"The people of Collingwood want their right to a common pause day protected."

I am pleased to present their petition, which I fully support.

### TRITIUM

**Mrs. Grier:** I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas one billionth of a gram of tritium can cause cancer; and

"Whereas the transport of heavy water containing tritium could be eliminated by building additional removal facilities at the Pickering and Bruce nuclear plants; and

"Whereas tritium can contribute to nuclear weapons if exported;

"Therefore, we, the undersigned residents of Ontario, oppose the transport of heavy water containing tritium and the export of pure tritium."

There are 631 signatures on this petition, and they come from Guelph, Kitchener, Fergus, Elora, Alliston, Orangeville, Hamilton, Brantford, Burlington, Oakville, Mississauga, Brampton, Toronto, Peterborough, Ajax, Oshawa and Bowmanville.

### TAX INCREASES

**Mrs. Cunningham:** I have a number of petitions signed by some 2,000 irate taxpayers. They live all over Ontario. The petitions read as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."

I have signed the petition, and I will turn it over to the House for the record.

### TEACHERS' SUPERANNUATION FUND

**Mr. Pollock:** I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior

to May 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

It is signed by teachers from the greater Peterborough area.

1510

### RETAIL STORE HOURS

**Mr. Mackenzie:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas it is the stated intention of the Liberal government of Ontario to change the legislation governing the conduct of business on Sundays; and

"Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of the municipal governments, who have already indicated they don't want it; and

"Whereas the Legislature's select committee on retail store hours, representing all three political parties in the Legislature, reported unanimously to the Legislature in May 1987 as follows: 'The committee supports the principle of a common pause day in Ontario';

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

I agree with this petition signed by one resident of the city of Burlington.

**Miss Martel:** I have a petition signed by residents of my home town of Capreol, and the petition reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario:

"In recognition of the importance of a day of pause in our Canadian society, we ask that the Retail Business Holidays Act be maintained and strengthened and that the act remain under the jurisdiction of the Ontario Legislature rather than be transferred to local municipalities for administration."



The petition is signed by 30 residents. I have added my signature, and I agree with them.

**Mr. Swart:** I have a petition addressed to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario, and it reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of the municipal governments, who have already indicated they don't want it; and

"Whereas the Legislature's select committee on retail store hours, representing all three political parties in the Legislature, reported unanimously to the Legislature in May 1987 as follows: 'The committee supports the principle of a common pause day in Ontario'; and

"Whereas the report also said, 'The committee unanimously rejects the notion of wide-open Sunday shopping for Ontario'; and

"Whereas the report commented as follows on the impact of wide-open Sunday retailing on working people and working families: 'The committee strongly believes that wide-open Sunday shopping in Ontario would represent an added pressure in our fast-paced society and a strain upon the family structure'; and

"Whereas it continued: 'This strain would be imposed particularly on the families of retail employees, many of whom are women, who might then be required to work on Sunday. The committee also believes that wide-open Sunday shopping would have an adverse impact upon common time together for primarily female-led, single-parent families'; and

"Whereas the report continued as follows: 'Similarly, it is recognized that on Sunday, child care facilities are not generally available, public transit operates on reduced schedules, and open Sundays could lead to the need for more publicly sponsored family support services. All of these factors would impose unwarranted and unnecessary strain upon the family, which is regarded as a key pillar of Ontario society'; and

"Whereas the Ontario government submitted a report prepared by its own women's directorate to the 1987 annual conference of ministers responsible for the status of women, and that report noted the need for greater government sensitivity to changes in hours of work and hours of business in terms of 'recognizing the need for time to be set aside when all families can be together' and the need to 'ensure that common

time off is set aside when all families can be together'; and

"Whereas the government's stated intentions can only increase existing pressures on working people and working families and result in less fairness for them;

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and to give effect to a common pause day for working people and working families in Ontario."

It is signed by Eugene Ellman and M. R. Holder, both of the city of Toronto, and I have endorsed this.

**Mr. Speaker:** This might be the appropriate time to once again remind members regarding the standing orders and the presenting of petitions. It is certainly within order to present to the House the material allegations made by the petitioners. However, it is not necessary to read in all the reasons for that. In other words, what I am saying is that it is within order to read the "therefore" but not necessarily all the "whereases."

**Mr. Mackenzie:** I am sure the Speaker knows that some of these people feel so strongly about this that they want their reasons known to the Speaker, but I have a short one here this time; it is a petition:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Let's not leave this issue up to the municipalities. This is the responsibility of the provincial government. We say no to Sunday shopping."

It is signed by 80 people in the Hamilton, Caledonia and Oakville areas. I agree with it and I have signed the petition.

**Mr. Charlton:** I have two petitions on the issue of Sunday shopping. The first:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue; and



to give effect to a common pause day for working people and working families in Ontario."

This is signed by one resident of the city of Hamilton. I have added my signature to it.

The second petition:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Let's not leave this issue up to the municipalities. This is the responsibility of the provincial government. I say no to Sunday openings."

It is signed by 98 residents of Hamilton-Wentworth and surrounding areas.

**Mr. Allen:** I beg leave to present a petition to the Lieutenant Governor and the Legislative Assembly of Ontario which is signed by 125 signatures. It reads:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Let's not leave this issue up to the municipalities. This is the responsibility of the provincial government. I say no to Sunday openings."

I have endorsed this petition and, of course, I support it.

## REPORT BY COMMITTEE

### STANDING COMMITTEE ON GENERAL GOVERNMENT

Mr. Mahoney from the standing committee on general government presented the following report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act.

Motion agreed to.

Bill ordered for third reading.

1520

## ORDERS OF THE DAY

### RETAIL BUSINESS HOLIDAYS AMENDMENT ACT

Hon. Mrs. Smith moved second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**Hon. Mrs. Smith:** Ontario is a province of growth, of opportunity and of diversity. Our province is constantly changing, constantly adapting and constantly accepting new challenges. The diversity of our economic development and our cultural makeup is constantly expanding. Our strength is in this diversity and in this ability to change. Our viability is in our

ability to adapt and to take advantage of the wide range of opportunity that this vast province offers.

Over the last several years, we have seen communities grow and prosper because of their local character and attractions. Communities like Niagara-on-the-Lake and Stratford have prospered around their theatres. Many communities around our Great Lakes have expanded their economies because of their attractive beaches. Recreational attractions like Canada's Wonderland, Georgian Bay's ski hills and the lakes and forests of the north have also generated prosperity for communities.

In some cases, this development has gone hand in hand with the local decision to maintain a quiet and traditional Sunday, from a commercial point of view. Indeed, Meaford, in the midst of ski country, has so far chosen largely to retain its closed Sunday.

Other communities, such as Bayfield and Port Stanley, towns along the edge of our Great Lakes, have developed streets of small boutiques which open on Sunday quite legally because their local governments chose to allow this under the present tourist option. In eastern Ontario, Gananoque has declared itself a tourist area. Temagami, Sault Ste. Marie and Thunder Bay have all developed local bylaw solutions to their own tourist situations.

This orderly development represents the intention of the old Retail Business Holidays Act. It also demonstrates that in actual fact, as we have repeated time and again, the local option, which the Association of Municipalities of Ontario has so strongly resisted, already exists and has existed all along. There are at least 24 municipalities that have taken advantage of the tourist option to open. Once again, any municipality having tourism needs can do so.

However, some of these local bylaws clearly do not reflect the intentions of the present law and are, in fact, abuses of it. For example, we have a fruit stand in the regional municipality of Peel declared a tourist attraction by that municipality. We have a hand-made furniture store in Scarborough allowed to open while another furniture store just down the street must close. We have a community like St. George, which is not really tourist-oriented, declaring itself a tourist area.

There is no way that this province can prevent this abuse by defining tourism. There is no definition broad enough to cover all the legitimate tourism needs of this diverse province that could, at the same time, be part of a meaningful, enforceable law that will stand up in the courts.



There is another important element about this existing law that must be emphasized. As history has clearly demonstrated, this law is unenforceable. You may wonder, Mr. Speaker, why this law is under the umbrella of the Solicitor General. It is because, in fact, this law is primarily concerned with enforcement. It is essential to this ministry, to the police forces and to the citizens and retailers of this province that whatever law is on the books, whatever law we expect our police forces to enforce, is indeed both fair and enforceable.

Unfortunately, as I stated, this is not the case under the existing law. We have grocery stores larger than the allowable convenience stores roping off areas, putting up artificial partitions on Sundays and competing unfairly with grocery stores that are obeying the intent of the law and staying closed. We have drugstores open and we now have mini-department stores calling themselves drugstores and providing unfair competition to neighbouring stores, such as hardware stores. We have stores openly defying the law because fines are inadequate and can be considered a nuisance cost of doing business. We have roping off, which gives unreasonable and unfair advantage to one merchant over another.

Along with enforceability, fairness must be instilled into the law, and it must be a fairness that is apparent and legally defensible or the courts will force us to do what we should have done for ourselves. This is why we are introducing this newer, fairer, more enforceable bill. Let me tell members what specific steps we have taken in this bill to make it both fair and enforceable.

First and most important, we have recognized that many communities will want to maintain the status quo but under a law that provides for stricter enforcement. We have therefore left in place a provincial framework law that will be in effect unless and until the local government enacts bylaws to take advantage of its right to adjust that law to local conditions. This provincial framework will do away with the oversized drug stores, with roping off and similar abuses.

Second, we have recognized that the present tourist option provided a local option through the back door. For those communities that wish to alter or not to adhere to the provincial framework, we have made fair and upfront provisions so that people can understand that it is through their local or regional governments, and these governments only, that laws can be written which either keep closed or open up their

community according to the needs of that particular community.

In Thunder Bay, the people of that community can decide what Thunder Bay needs, and these needs may be far different from the needs of the people of London. In border cities like Windsor, residents can decide what Windsor needs, and their needs may be far different from those of the people of Peterborough.

We recognize the variety of needs and situations in this huge province. Many areas depend on holiday tourism and special tourist attractions for their economic survival. We recognize that any municipality must be able to pass its own bylaws with regard to Sunday and holiday shopping, as indeed they presently can and do to set hours of retail business for other days.

These new municipal bylaws may define size restrictions, time restrictions, seasonal restrictions or any other legally defensible restrictions that differ from the provincial framework. So indeed a local government may pass bylaws declaring Sunday completely open—as some have already done—or they may allow specific hours, staffing and sizing that adjust the provincial framework to their particular needs. At the same time, the bill ensures that religious rights of retailers will not be overridden by a municipal bylaw.

Third, as under the existing law, we have given regional government the power to control the law within a region.

To further improve upon the present law, we have increased possible fines and required the courts to examine any evidence of total sales in setting these fines; and very important, we have introduced injunctive power for the courts to order that a store close on a holiday to ensure compliance. As well, we have provided that advertisements may be used as admissible evidence that the law is being broken. We have done all these things in order to make it more possible for those communities that wish to maintain a common pause day to do so without abuses abounding.

Ontario is not the only province now moving to provide municipalities with discretion in the regulation of Sunday and holiday shopping. Saskatchewan also plans to institute very similar legislation. Its urban affairs minister, Jack Klein, explained his government's decision as follows:

"Any legislation will have to recognize local market conditions, which vary enormously from community to community. The municipalities are in a better position to deal with the question."



Three other important freedoms are recognized here today.

First, the rights of religious groups are recognized. Any retail business may open on Sunday if it closes year-round on any other one day of the week because of the owner's religion.

Second, it is clearly set out that a mall owner cannot require a tenant to open on Sundays or holidays, even if the mall itself is allowed to open under local bylaw. This is a new protection that extends to all tenants, including those in existing open malls.

Third, this bill gives rise to an accompanying bill that protects, for the first time, all retail employees, including those in currently open businesses. The proposed changes will protect all retail employees against unreasonable requirements to work on Sunday. The Minister of Labour (Mr. Sorbara) will enlarge on this, but I wish to emphasize now that thousands of employees presently working for businesses legitimately open on Sunday will have new protection.

Tourism is the number two industry of Ontario. It provides \$9 billion each year in volume and provides over 400,000 jobs. Tourism also generates an estimated \$1.3 billion in government revenues each year.

Any bill introduced in this House must recognize these facts and must recognize that those areas with the highest unemployment rates—eastern and northern Ontario—also have great tourism potential. So we have brought forward a fair and enforceable bill that allows for the development of that tourism potential as well as for other unique community needs and values of individual communities.

1530

As past government whip and as a past member of several committees, I am convinced that committees, by travelling and listening closely to people across the province, can come up with useful improvements to any bill. It has always been my intention to encourage such interaction in the consideration of this bill. I welcome and encourage the committee members who address this bill. I will listen closely to their recommendations. I also welcome and encourage the participation of all community groups and individuals so that the diverse nature of this province will be properly addressed in the final bill.

I would ask that such groups and individuals consider my remarks today, because the only inflexibility this government has is its determination that our bill will indeed be fair and

enforceable and will address the economic and cultural needs of all Ontario.

**Mr. McLean:** I just want to comment briefly on the opening statement by the minister. As the minister is probably aware, in the past week we have been dealing with Bill 106 in committee. It is a municipal bill, a government bill that has had 30 amendments brought in by the government to amend its own bill. She is now indicating that she wants to travel the province and have input from the people in the province.

The Association of Municipalities of Ontario sent in all kinds of resolutions relating to the previous bill I am speaking about. The government did not accept any of those recommendations. There are other people who wrote in, legal people, with regard to recounts. The government did not listen to them. Here today the minister is telling us that she wants to travel the province with this bill and listen to what the people of the province have to say.

I have to tell the minister that I do not believe one word that this is what she wants to do. She has that bill laid out and that is what she intends to do. She will travel for as many months as she wants and I do not think it is really, truly the information she is looking for.

**Mr. Philip:** The minister says she encourages input by the committee's travelling throughout the province. I ask the minister, what assurance can she give that any kind of listening will be done to people who will make presentations to the committee when in fact she was a member of a committee set up by the Premier (Mr. Peterson) that travelled the province, that had input, that made specific recommendations that she personally signed, and she is now introducing legislation that is diametrically opposed to those very recommendations? If she did not accept the recommendations that she signed herself, why would she accept the recommendations made by a committee of which she is not a member?

**Mr. J. M. Johnson:** I think this afternoon the question was asked about a comparison to Nova Scotia and the minister said that it was a hodgepodge affair. I think the Minister of Municipal Affairs (Mr. Eakins), who is also the former Minister of Tourism and Recreation, said to the rural section of the Association of Municipalities of Ontario that the current situation is a hodgepodge. "The tourist operation is open and important because of the emphasis on tourism in Ontario. If you do not want to be open you do not have to be."

Would it not be more of a hodgepodge affair after she allows hundreds of municipalities to



individually choose whether they want to remain open or not? If it is a problem now, will it not be much worse after? I would think if each municipality exercised its option and determined whether it wished to stay open or not, we would indeed have a very serious problem across the province.

I fully support the idea of local autonomy, but if she is going to give local autonomy, why does she not give it where it is meaningful, in land use and in some controls of planning and in some of the things municipalities have asked for? Since municipalities have voted nearly unanimously to oppose this, why then say: "That is your local option. That is what you are going to have for this year. Next year we may give you some other token recognition factor"?

I think the message should have been loud and clear to all the members. I certainly know the House leader is aware of the concerns in rural parts of this province. They are saying quite clearly that they do not want that option to make the decision pertaining to the Sunday shopping issue. They are satisfied with the present legislation with slight changes that are needed to bring it into accord with law.

**Mr. Swart:** I would just like to pursue a little further the comments and questions of the member for Etobicoke-Rexdale (Mr. Philip) and just ask the minister a few questions and hope she will reply in her comments.

When she says she would like to have the input and welcomes the input of people across this province, of course we all recognize that she did not want to have unlimited input into this bill. There were certain pressures brought to bear which caused her finally to capitulate, but it was not her wish.

The question I want to put to her, and hope she will answer, is: is she prepared to consider, if the committee recommends—or even if the committee does not recommend, if she has overwhelming representation—to change the fundamental principle of this bill, that of transferring it to municipalities on having open Sundays, making any changes to those fundamental principles?

**Mrs. Marland:** In light of the promise to hold public meetings, I want to formalize and put on the record for the Solicitor General (Mrs. Smith), since, as the representative for Mississauga South, I have personally tabled in this House over 10,000 names of people who are not only concerned but concerned to the extent that they are totally opposed to Sunday shopping, that I would request on their behalf that some of these public meetings which are being promised to be

held around the province would indeed be held in Mississauga.

Mississauga is not a suburb of Metropolitan Toronto. It is no longer convenient for the residents of Mississauga to commute for hearings in Toronto. We are a city of 400,000 people, and I think the current Liberal provincial government might show those people in Mississauga some respect by agreeing to hold some of the public hearings in that city. In fact, it would be a very good catchment location for some communities to the north and to the west because it would not drag those people to otherwise drive into downtown Toronto where it is \$5 an hour to park, among other things—that is if they can find the parking. I would hope the Solicitor General would heed the request for hearings in the great city of Mississauga. Thank you.

**Hon. Mrs. Smith:** I wish to respond to the member for Simcoe East (Mr. McLean), the member for Etobicoke-Rexdale and the member for Welland-Thorold (Mr. Swart) more or less in one on the bulk of what they said by reminding them that the select committee on which I sat based its whole recommendation on a definition of tourism for the whole province into which all the various areas would opt. This indeed became a legal stumbling block, as I said in my speech, if the members had taken the time to listen.

A definition of tourism for the province which would have met the various needs of all the localities of this province would indeed have turned out to be so general as to be not enforceable in the courts or useful to the municipalities. At the same time, we could not rule out tourism as a very vital and important industry to many of the communities. It is, therefore, for this reason that we have to recognize both the need of those communities which are partly or wholly dependent on tourism and also the needs and wishes of those communities which wish to stay as closed as possible.

It is for the legal reason and a variety of reasons that we have to allow a variety of municipal rulings. In fact, this is so now because the tourist exemption in the present law allows municipalities to opt out as tourist options, which is what they are doing and which is the same as a municipal option.

1540

The member for St. Andrew-St. Patrick (Mr. Kanter) is on the committee and he will take note of the request of the member for Mississauga South (Mrs. Marland) about the location of one of the hearings. I am sure he will convey that message. To the member for Wellington (Mr.



J. M. Johnson), I made no mention of "hodgepodge." The member for Etobicoke-Rexdale referred to patchwork and I pointed out, indeed, the use of having some degree of patchwork within the province.

**Mr. Philip:** I find the minister's last comments in responding to her opening comments to be somewhat humorous. The Canadian National Exhibition can define what a tourist is but the government of Ontario cannot define what a tourist is. I find that so preposterous that it boggles the imagination.

I do take pleasure in being the first speaker for the official opposition in a debate which has been raging for some time now. In my 13 years as a member of the Legislature, I know of no issue which has generated more mail or indeed more concern in the way of telephone calls or in the way of people stopping me as I walk through my riding and talk to my constituents.

It is because of this public concern on this issue that we in the New Democratic Party fought hard to have full public hearings so that the public might have an opportunity to express its views. This government with its large majority thinks it does not have to listen to the people of Ontario. It wanted two weeks of hearings and then back into the House for quick passage before the summer recess.

My colleagues and I believe that when a government makes a major change of direction, the public has a right to present its views and that is why for more than a week we continued to introduce petition after petition and eventually were able to force this government to hold hearings this summer.

I would urge all of those watching and indeed reading the debate who have concern on any side of the issue to call or write the clerk of the standing committee on administration of justice. They have a right to appear to present their views before the committee and to have their concerns heard.

In the view of New Democrats, these two laws are bad laws. They are both based on broken promises on the part of the majority Liberal government. Neither makes Sunday working any fairer for the many thousands of working families which are affected.

During the last election and after, the Liberals said that the current law was basically OK and did not need changing. Now they say that Ontario needs a new law, a law that passes the buck to the local governments; a law that allows different rules for Sunday working in every town and city; a law that allows different rules in different

communities with regional municipalities or in different parts of any community; a law that lets local councils allow Sunday working hours according to specific holidays, specific times of day, retail store size, number of employees, type of business, location or any other criteria they decide might suit their whim or their notion.

The Liberals say we need new legislation because the law we have now is unenforceable. We say that if you have a law which is unenforceable, you do not cop out, you cop in, you correct the law. If you do not, you do not deserve to be the government.

On the examples of problems the Solicitor General has been speaking about in her leadoff address, she was a member of the committee which studied and indeed came up with concrete proposals on how to deal with those problems. To suggest that passing these problems to the municipalities will somehow correct them is simply absurd. It is simply not a way of correcting them; it is simply a way of multiplying them, of having, instead of one or two concrete solutions to a problem, multiple attempts at solutions, in fact, of creating anarchy.

It is the same Premier who established the select committee on store hours, a committee that toured the province and held hearings, a committee that made 17 specific recommendations which the Premier, before the election, said were acceptable to him.

The Solicitor General, who was responsible for this Sunday working legislation, was a member of that committee at that time. She signed the report. She helped draft the proposals which she thought were good proposals at that time. Now she has the audacity to bring in legislation that is in direct contravention of the essential principle of that legislation, which is that there is a need within people for a common pause day.

On that committee, I had an opportunity to travel with the member who is now the Solicitor General and we discussed how it seems interesting that no matter what religion you go to, there is written within it some law that says one out of every seven days is needed for a pause. Whether you are a theist, as I am, or an agnostic or an atheist, you have to at least recognize that there seems to be within all religions an innate kind of sensitivity to nature that says one out of seven days requires a pause, that there is a need to recycle, to rejuvenate.

I believed the Premier when, during the election, he stated that he believed in the principle of a common pause day. I believed the



Premier when he stated that the select committee had a report that was acceptable to him, that we had offered concrete, positive, reasonable solutions. I believed the Premier so much that I telephoned the clerk of the committee and I said: "It seems fairly evident that this will not be another issue for at least the next decade, maybe decade and a half. Nobody will dare raise the issue of opening up the large grocery stores and supermarkets for another decade. Do you have a copy of all the presentations in the archives so that they are easily retrievable by any member of the House?"

When I was told they did, I said, "It will not be necessary for me to keep all the copies." Indeed, my assistant and I discarded much of the information rather than hold on to it, assuming we would not be faced with this debate at least for the next decade or so.

I guess, like so many others in this province, I now realize that my trust in the Premier was misplaced. How can you trust someone who says one thing during an election and does exactly the opposite after the election?

The very first and second recommendations of the select committee read as follows: "The primary responsibility for the administration of the Retail Business Holidays Act or other legislation relating to retailing on holidays should remain that of the provincial government. In exercising its administrative responsibilities, the Ontario government should formulate the general framework and policy standards for the operation of the Retail Business Holidays Act." It is fairly clear. The report the minister signed says that Ontario has to exercise the responsibility, that it cannot be passed to the municipalities.

**Mr. D. S. Cooke:** What did it say?

**Mr. Philip:** If the member wants me to read it a second time, "The primary responsibility for the administration of the Retail Business Holidays Act or other legislation relating to retailing on holidays should remain that of the provincial government."

The person who signed that was the Solicitor General. In looking at that report, the Solicitor General will remember that there was a need to put that as the first recommendation because it was the cornerstone of the report. Because it was the cornerstone, we put it as the first recommendation. Now the minister violates that report, violates the very essence of what she stood for.

These were the recommendations signed by the Solicitor General and endorsed by the Premier. The Solicitor General knows full well from her experience as a member of that select

committee on retail store hours that the municipal option in British Columbia simply meant wide-open shopping. She was told by deputations that came from there, indeed small businessmen who had gone bankrupt, that the moment Vancouver opened, North Vancouver had to open whether it wished to or not, because in fact, once money started going across the border, then it simply was forced to open.

**1550**

We heard that the council in North Vancouver had democratically decided not to have a wide-open Sunday. We heard that the people in North Vancouver did not want it. We heard that the merchants did not want it. We heard that they even took democratic votes saying they did not want it. But the moment you have the municipal option, the moment one municipality opens, then you simply have the domino effect.

In announcing the government's decision on providing the municipal option on Sunday shopping, the Solicitor General stated that the government had concluded that the recommendations of the select committee were unworkable. But she was the minister who signed the report only months earlier. If they are unworkable now, why were they not unworkable when she signed that report? She was the one who strongly supported the committee's recommendation against widespread Sunday shopping.

Furthermore, it is this same Solicitor General who, in comments prior to the government's recent Sunday shopping decision, described the municipal option as the chicken option. Well, that is what she has done. She has chickened out. She is afraid to enact legislation, and therefore she decided to pass the buck to the municipalities.

I happen to believe that the Solicitor General still believes in the report that she signed. I think she was outvoted in cabinet and she is in an awkward position now, defending what she realizes is the indefensible.

She also knows that the municipal option was tried in Nova Scotia and failed. Let me remind the Liberal members of this House of some of the comments made in the Nova Scotia Legislature during the debate on the legislation which had to be introduced to reverse the earlier legislation that gave the municipal option.

Let me remind the Liberal members what the Attorney General of Nova Scotia said on May 20, 1987. The Honourable Terence Donahoe said, and if the minister wants to check it out, it is on page 2924 of the Legislative Assembly debates



of Nova Scotia, "All members will be aware that earlier legislation was introduced and passed."

The earlier legislation that the Attorney General of Nova Scotia is talking about was the 1975 legislation that gave the municipalities the local option.

"In that earlier legislation, there were a number of provisions whereby the local municipal units had an opportunity to exercise certain activities and controls over the way in which legislation would apply. In particular, in section 4 and subsequent sections of the existing legislation, there were definitions of business, there were provisions relative to the issuance of permits by a council of a municipality by way of bylaw."

So there was very real and considerable municipal capacity in relation to what went on in terms of uniform closing-day shopping activity across the province.

"All members will be aware that over the course of the last year or so, as a result in particular of a whole range of different kinds of decisions taken by different municipal units, we were fast getting to the point where we were developing very much a patchwork quilt of what would be open."

The Attorney General, in introducing and reversing the original legislation, is in fact saying the municipal option creates anarchy.

Indeed, if we go over a couple of pages, we have some interesting comments by the NDP critic of the Attorney General, Bob Levy, who says, basically in agreement:

"I want to rise in support of this bill"—that is, the bill to reverse the kind of legislation which the Liberals in this government seem to want to introduce—"and note how difficult it perhaps may appear, even with hindsight, to have addressed and comprehended this problem and to have dealt with it adequately in the first place. This whole phenomenon of Sunday openings by large stores was thrust upon us somewhat quickly it seems and the Legislature made what I believe to be a good-faith effort in 1985 to be sensitive to various problems surrounding this and to enable the matter to be dealt with on a local basis. Experience has proven that for one reason or another it just didn't work."

So there is not only the Attorney General, Mr. Donahoe, and not only the government, but also the opposition saying: "Look, a mistake was made in 1975. The municipal option does not work. We are going to have to reverse it."

"As an aside," Mr. Levy goes on to say, "it is a bit of an interesting case study in legislation in

response to perceived or actual social problems, and there would be much in it, I would think, that would be of interest to students of the legislative process, how government responded and how they had to respond and the problems of how limits were tested, and how loopholes were found very quickly, and how various decisions were made by various municipal units and not made by various municipal units pursuant to their own beliefs. I believe it makes for a fascinating study of the legislative response or the legal response to a problem."

The Solicitor General suddenly tries to tell us that our problems are going to go away if the municipalities are given the local option. Here we have a province that has tried that, and we have the members of that Legislature pointing out very clearly that it created even more loopholes because there are even more people out there at a local level looking for the loopholes. So she is creating an even greater problem.

The only thing she is doing is trying to get it away from the responsibility of the provincial government and make the local municipalities deal with the loopholes, and that did not work. It did not work in Nova Scotia. We can imagine that if it did not work in Nova Scotia, how much more difficult it will be to make it work in a province like Ontario, with its complicated infrastructure and, indeed, with large municipalities side by side, across the street from one another, with borders across which commerce can easily flow back and forth.

In announcing their legislation, the Liberals promised that no retail worker would have to work if he or she did not wish to do so. That was part of the rationalization they used to soften the political outcry of their having deceived the electorate during the election campaign. This was one of the rationalizations made to ease the public outcry of yet another flip-flop by the Peterson government.

But what do we see when we finally get the bills before us? We see that, under their proposed law, retail workers will be able to refuse Sunday work that they consider unreasonable, but the law sets out a whole range of factors that can take away most of that right to refuse. What is left is the right of retail workers, most of whom do not have a union to support them, to take on the boss for not being reasonable and let the government mediators referee and decide. If the minister cannot define "tourism," then how does she expect to define "reasonable"? She wishes her mediators then to define "reasonable"? What she is going to do is have a whole series of



unreasonable decisions by people who will make capricious decisions or poorly founded decisions based on their own personal backgrounds rather than any kind of objectivity across the board, or, indeed, any regulation or statute across the board.

Furthermore, the government, or at the very least the Solicitor General, is aware of the testimony given before that select committee, of which she was a member, testimony by people such as the managers of Canadian Tire stores across this province who said: "You can pass any labour law you want on this. If we are faced with a crunch, we can easily force a person to work. We are not stupid enough to deliberately violate a statute. All we have to do is say, 'Mrs. Smith, I want you to work on Thursday night.' The manager knows that Mrs. Smith has her Girl Guide group that she has been active in for the last decade on Thursday night. 'Mr. Smith, you have to work on Friday nights.' He knows that Mr. Smith has one course left that he takes on Friday nights to complete his bachelor of arts degree at the local university."

All of those things can be used to coerce the person into working; and, indeed, as the Canadian Tire store managers have pointed out, there is the mere knowledge that refusal to be co-operative, that refusal to be a company man, is enough to simply make it impossible for you to get a promotion.

Indeed, the minister will remember that the very argument that the Canadian Tire store operators made was that there was no law that could be passed in this regard that they could not get around. Not that they wanted to get around it, because the Canadian Tire store managers, as the minister will know were, as a group—every single individual one of them—opposed to this legislation.

**1600**

I know government members must have received letters or telephone calls from their own constituents. I have received calls from small businesses. I talked about the Canadian Tire store operators. I have received similar calls from hardware store operators. When you get into a business like a Canadian Tire store, a hardware store, a jewellery store, you cannot simply hire students to man the stores on Sunday. Either you have a security problem in the case of jewellery stores—and we had jewellery store operators come before the committee and express that concern—or in the case of Canadian Tire and hardware stores, you have a problem that you need people who have a knowledge of the

inventory in order to serve the customers. Simply hiring a student does not relieve you of the problem that you need knowledgeable employees, probably at the management level, to man the store whenever it is open.

Indeed, that was the very case that the Canadian Tire store operators made to us. They said: "We do not have trouble competing. We have massive advertising budgets at our disposal. We can compete with anybody out there. We may even, as a result of Sunday opening, get an extra piece of the action by taking away from some of the small hardware stores." What they are concerned about is that they are going to have to have some of their key people working on Sunday because there is no other option, and they are worried about staff turnover as a result of that.

They pointed out to us that indeed it costs a lot of money to make a person knowledgeable in the trade, only to have him go down the street then to a position where he can work five days a week at perhaps the same salary or maybe a little less, maybe a little more. They are worried about not only what this will do in terms of their employees and the morale of those employees, but also what it will do in terms of the service to the customer. If you have a higher turnover in these stores, then you are going to have less service to the customer.

The minister talks about the need to make it illegal for the shopping mall owners to discriminate against stores that refuse to open. She can introduce that legislation, fine. But the fact is that there is nothing under present law that gives a store owner in a mall the same kind of protections that are given to a tenant under the Landlord and Tenant Act.

There is absolutely nothing that says a mall owner has to renew a lease at the end of that lease. There is nothing under present law that says that if I do not like what a store owner is doing, I have to sign a new contract with him. There is nothing that says I cannot charge him three times the rent of the store owner next door. To the small store owner, knowing that a large corporation can often be fairly forceful in how it achieves its objectives, that alone is enough of a coercion to force the store owner to stay open when the owner of the mall comes over and says: "Gosh, why not be part of the gang? Everybody else is going to open, and we really do not like the fact that you are closing on Sunday."

That means that in a mall where you have some specialties, such as an optometrist, even the optometrist is going to have to remain open on



Sunday. Optometrists have told us that when it was tried in tourist areas or in other areas, in fact they were lucky if they sold a pair of sunglasses on Sunday. People who shop on Sunday are often out for recreation, rather than making a conscious effort to go and buy a specific item.

But of course, under Ontario law, if you have an optometrist's store you have to have an optometrist present, so it may absolutely not make any economic sense to you. Most people who are going to have their eyes examined and thereby buy glasses the way that I did only last week, make an appointment, go to see an optometrist at a particular time, get their eyes tested and then find out whether they need any change in their glasses.

They do not just drop in the way that someone will on a Sunday. The only ones who benefit from all of this are, of course, the mall owners. We have been told that the way in which the malls collect their rent is a flat rate on the square footage and then a percentage of the gross amount that comes through the door, not on the profits but on the gross.

Even though it may not be in the economic interest of the small store owner to remain open on Sunday, it is in the interest of the mall owner. Even though the owner himself may realize that it is costing him more to remain open seven days a week than six days a week, the mall will benefit by the little extra bit of business that may come into that mall, perhaps at the expense of the small businessman elsewhere.

So what we have then is that the only winners are the owners of the mall or, indeed, as we found out in the British Columbia case, The Bay—a company that was having real financial problems, that needed to get an extra share of the market and, in fact, through Sunday opening, managed to get a larger share of the market at the expense of the small business people.

I have received numerous phone calls, as I say. I will not read all of them, but let me give you an example of the kinds of letters that I have received. I received a great number of letters from single parents. In my riding, I have talked to a number of them. Many of them are either managers or salespersons in particular grocery stores or department stores.

They say to me very simply: "It is difficult enough, with one parent, to bring up our children. We are not home on Thursday nights. We are not home, usually, on Friday nights, because of our occupation in the store. We are not home all day Saturday. The children are home on Saturdays and Sundays. For heaven's

sake, at least give us one day when we can be with our children."

The government members argue that somehow in the United States, by having wide-open Sunday shopping the fabric of the family has not broken down entirely. But surely, as I made the point yesterday to a group that I was speaking to on Sunday morning—a group that invited me to speak in the Pentecostal church on Steeles Avenue in the riding of Etobicoke-Rexdale—with all the pressures that are on the family why add one more?

I do not know whether you can prove scientifically that this is going to hurt the family; but I do know that, if I have a number of variables, a number of pressures, and I can remove one of those pressures at a time when the family is under pressure from various sides, that it makes some sense to do that.

The Premier has stated publicly that members of this House who believe in a common day of rest are living in the past. I have an interesting response that was written by the Canadian Federation of Independent Grocers. It points out that the early settlers in this province legislated Sunday as a common day of rest primarily for religious reasons, so that families could worship together.

"Times have changed and the makeup of our population now embraces many religious groups for whom Sunday bears no particular religious significance.

"As a consequence it is very easy to argue that the old reasons for having Sunday as a common day of rest are no longer valid and therefore should become a day like any other day of the week, when people are free to engage in the full range of commercial activities.

"We suggest to you, however, that although the religious reasons for maintaining Sunday as a common day of rest may no longer be applicable to the whole of the Ontario population, there are nevertheless good reasons for maintaining Sunday as a day when the majority of the citizens in this province are not required to be at work and therefore can engage in family activities."

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It goes on to say, "Modern lifestyles with husband and wife at work and children either in day care or at school, have already reduced the opportunities for the family unit to be together. Of course, part of the appeal of Sunday shopping among certain segments of our population stems from the very fact that in many families both husband and wife, are now working. Therein lies the dilemma. If asked, many people will say that



they welcome the opportunity to shop on Sunday. At the same time those same people will also indicate that they would be most upset if they were called upon to work on Sunday. As provincial politicians, we believe it is your responsibility to look beyond the perceived immediate desires of certain members of the population and ensure that legislative changes are in the interests of all Ontarians—not just of this generation, but of generations to come.”

I have received many letters like that, and it just seems to me that the minister has failed to listen to that social-worker priest in Windsor who made a plea to her and to other members of the committee not to bring in legislation which is going to put extra pressures on families that are already overburdened. She has failed to listened to that.

A number of friends of mine are managers, or indeed in the case of one an owner of retail grocery stores. I have a number of Italian immigrants, particularly, who came to this country many years ago and whose families operate very successful businesses—Ferlisi's, to name only one of them, on Albion Road near my riding office.

All of the merchants and all of the trade associations that have come before us have said the same thing, “It is going to increase the cost if we remain open seven days a week.” They admit that they are going to obtain some business from the small mom-and-pop stores that sell groceries locally, but they also say that extra little bit of volume will not make up for the amount of extra costs that they are going to have to pay in wages.

We have a situation then where the very people who are running the businesses are saying to this government: “Look, put in the changes that the select committee has recommended. Don't allow somebody to open up a grocery store and pretend that it's a drug store. There are ways of dealing with that. But, for Heaven's sake, don't create a situation where we have to open up seven days a week, because the extra cost can only mean one thing: less salary to our employees or, more likely, higher costs to the consumer.” Various estimates range between 6 per cent and 9 per cent, or even as high as 15 per cent.

Small businessmen that I have talked to in the riding know that they will be affected. The Solicitor General was there when the Korean Businessmen's Association appeared before the committee; indeed, in different cities, there were different branches of it. They pointed out that in British Columbia many of their members faced grave financial losses; indeed, some had to go out

of business and relocate in Ontario after Mr. Vander Zalm decided to use the municipal option and they had the kind of things that happened there.

I happen to think that small business is important. Some of these people have come from other countries. They have PhDs, MDs and law degrees, but because of circumstances and the difficulties of getting accreditation here, and in some cases because of language, they have been able to support their families by operating small stores. These people now, having lost their businesses in the west, are going to face the same thing in Ontario, thanks to this silly legislation by the Solicitor General.

What we are also facing is a ripple effect when it comes to who will be working on Sundays. We had mall owners tell us that if the small malls have to remain open on Sunday it means extra costs to them. It means there are extra security costs. On a wider scale, it is fairly clear that increased Sunday shopping can only mean increased work for police, public transportation and day care services, all of the extra services that then will be needed as a result of the extra day of work.

Indeed, at a time when this government has cut back on its portion of what it—

Interjection.

**Mr. Philip:** Well, if the member wants to speak, maybe I will sit down then and let him speak. I would like to have an opportunity to continue my speech.

**The Acting Speaker (Miss Roberts):** Order. Go ahead, please.

**Mr. Philip:** It is fairly clear that here we have a government that is cutting back on its grants to municipalities as a percentage of the local tax it is paying, and at the same time it is putting this extra, increased burden on the taxpayers municipally. You cannot have all these extra services without it coming out of somewhere and these are the very services that are paid municipally.

The irony is that this will actually mean less service to the public. Even the person who says, “Well, I'd like to be able to have the convenience of shopping,” is going to be faced with less service rather than more service as a result of this option. We have heard what has happened already in Alberta. The Alberta merchants, faced with the increased costs of salaries of staying open that extra day, in fact are cutting back in the evening hours. It is now less convenient for many people who would otherwise have an opportunity to buy something on the way home from work if they are working late, to shop, because the stores



are now closed earlier in order to stay open on Sunday.

The minister and the Premier somehow try to say that this is an exercise in local participatory democracy by allowing the municipalities to make the decisions. Well, if it is really participatory democracy, why do they not give them the local decision-making on the areas they have asked for? This is not one area they have asked for.

The 675-member Association of Municipalities of Ontario has overwhelmingly voted against this legislation. They are saying: "We don't want it. Let it go away." What kind of participatory democracy can we have if you say, "I want to give you something," and I say, "I don't really want it," and you say, "You're going to take it anyway whether you like it or not"? That is not participatory democracy; that is authoritarianism of the worst kind.

If one is going to be logical then, if one wants to go that route with participatory democracy, what is next in store? Are we going to have local safety laws designed by the municipalities? Is that the way this government wants to go? Are we going to have local environmental laws?

The government will say: "Gosh, we've got an environmental problem in southern Etobicoke that we can't handle. Let's take the municipal option. We couldn't handle Sunday shopping centrally and we found a way of copping out of that one. We gave that over to the municipalities. Let's give the environmental problems over to the municipalities. Let's give any other problem we can't solve over to the local municipalities, so that we don't have to deal with it."

I say to the government that it was not given its large majority to cop out that way. It was given its large majority to consult with people, to listen to them—it obviously has not listened to the municipalities because they have said they do not want this bill—and to show some leadership.

Let me conclude by saying I believe that in this society in Ontario, and indeed in Canada, we have created a society that is different from some others. I remember as a young boy, when we first got our black and white television set, watching Bishop Sheen on TV. I only remember one line out of that. Out of all the sermons—he was tremendously dramatic and I guess I enjoyed the theatre of what he was saying—I remember only one thing. He said, and I remember the line over and over again and I have repeated it over and over again, "We mustn't create a society where it's anything for a buck."

He was talking about the United States. I think when we go to the United States—and I have relatives there and I deeply love my relatives there—the Americans have created a society where materialism is more important than the things of the spirit or the things of the human person. I say to the minister that, in going this route of materialism, this is exactly what the minister is doing.

She does not believe it. I know she does not believe it. She signed a report that said that she did not believe it. If I were in her shoes, I hope that I would have the guts, I hope that I would have the moral fortitude, to say: "I cannot go ahead with this kind of legislation. I will not usher it in, Mr. Premier. If you want somebody to act as your voice in the Legislature on something that I so diametrically oppose, I am afraid you will have to get someone else to do it."

It deeply disappoints me that she has not had the courage or, indeed, the moral fortitude to tell the Premier what to do with what he wanted or what the Attorney General (Mr. Scott) wanted. Instead she is acting as a mouthpiece for a cabinet that is forcing something on her that she obviously does not believe, or at least that she did not believe six months ago.

1620

**The Acting Speaker:** Does any honourable member wish to comment upon the remarks made by the member for Etobicoke-Rexdale? The member for Eglinton.

**Ms. Poole:** I just want to briefly touch on a few of the comments made by the member for Etobicoke-Rexdale. First of all, I think anybody who knows our current Solicitor General knows that she is not a mouthpiece for anyone except Joan Smith. She is bringing in this legislation because she believes in it, and if she did not believe in it, she would have convinced her cabinet colleagues otherwise. So please do not impugn the integrity of our Solicitor General.

With reference to the tourist exemption that the member for Etobicoke-Rexdale said was so easily defined that even the Canadian National Exhibition could define it, if that is the case, I am wondering why either the member himself or his party has not come forward with that "so easy" definition?

In fact, the current law with reference to the tourist exemption simply does not make sense. Why should one side of the street be closed on Sundays and the other side of the street be open because it has a tourist exemption? Why should stores in Harbourfront be open on Sunday because they have a tourist exemption but the



Eaton Centre stores be closed because they do not, even though they are one of Ontario's greatest tourist attractions. So the tourist exemption was not a fair and enforceable mechanism. It should have been changed in the legislation and it is being changed.

Second, the member for Etobicoke-Rexdale quoted the Solicitor General as saying that responsibility for Sunday openings should remain with the province. I submit that is exactly what this government has done. The new legislation still provides a provincial framework. Stores are closed in this province unless specifically exempted in the act or unless the regional municipality proactively brings in its own legislation to change it.

**The Acting Speaker:** The member's time has expired. Order. Does any other member wish to comment upon the remarks made by the member for Etobicoke-Rexdale? The member for Wellington.

**Mr. J. M. Johnson:** I would like to rise and support the member for Etobicoke-Rexdale's comments. Many of the comments that he made are very similar to the comments that I intend to make at a future date, possibly today or tomorrow.

I would like to say that maybe there is a misunderstanding and, if there is, it could be corrected. The previous speaker just mentioned that the Solicitor General did not say that it was a chicken way out or imply that. I would like to just read into Hansard what I understand the Solicitor General to say.

She did indeed say that "the nature of this report is to keep Sunday recreational and not very open." She went on to say that "it would be a chicken way out if it were turned over to the municipalities to make the decision." Maybe that is incorrect, and if it is by all means correct it. Then she went on to introduce legislation doing that very thing.

It is my understanding that the legislation would allow municipalities to limit openings to specific hours, to open any part or parts of the regions, to restrict openings or require closings during specific periods of the year, to classify stores by size, number, etc. It is a very complicated issue. We have several hundred municipalities that will go in several hundred different directions. Is that going to make a more uniform policy?

It is asinine, and I do not how you can draft such legislation; or does the minister propose to tell the municipalities exactly how they will draft their legislation? Is the minister going to leave it

up to them? The minister can reply, but I would like to know if the minister is going to leave it to the municipalities to draft their own. For example, if they have a referendum, would the minister prepare the referendum for them or would they have different referenda?

**Mr. Mackenzie:** Briefly, my colleague referred to the integrity of the Solicitor General on the issue, wishing she had the courage to stand up and take the position she had taken previously. That seemed to spark the defence of the member for Eglinton (Ms. Poole) that the Solicitor General was not a spokesman for anybody and she was bringing this bill forth because she agreed with it.

I am wondering if we could have from somebody here in the House an explanation then of whom she was speaking for when she was so solidly opposed to it just a few short months ago and was part of the committee that recommended against it.

**The Acting Speaker:** Does any other honourable member wish to comment? Madam Minister?

**Hon. Mrs. Smith:** I will wait. Go ahead.

**The Acting Speaker:** It is a rotation. If the minister wishes to speak, it is her turn to speak.

**Hon. Mrs. Smith:** Then I will speak briefly at this point to point out that indeed the province has left in place a provincial framework. What we have changed fundamentally is that instead of making tourism the rule by which people can vary to their particular needs, we have made it clear that they can vary it by their own statement. The option was always there under the guise of tourism.

If the Canadian National Exhibition can declare what a tourist is very clearly, it is because when the CNE is not open there is nobody there, and therefore everybody who comes is a tourist. It is easy.

If I go to Grand Bend, I am a tourist. If someone from Grand Bend comes to London, is he indeed a tourist in London; and if so, then is it not so that a tourist, as the member says, who comes to Toronto, can then go to the Eaton Centre as a tourist, just as I can go shopping as a tourist in Grand Bend?

It is not that easy; it is not that definable. London can decide whether it wants to stay open for that person from Grand Bend, just as Grand Bend may be able to decide that it needs that business from me and the people from London.

We depended on a definition of tourism which was not able to be found. The abuses prove that



you cannot define tourism, and therefore we fully recognized that there must be variety in the province because of the economic variety of the province and that there must be room for Sault Ste. Marie to make one decision, Peterborough to make another decision and Toronto to make another decision.

We have put in there—as the member has referred to Vancouver and North Vancouver and so on—we have given regional government the overall stand for the very reason that was suggested to the member in discussion of Vancouver and North Vancouver. We feel it will give better stability in a bigger area to have the regional government in control.

**The Acting Speaker:** Two minutes for the honourable member in reply.

Interjection.

**The Acting Speaker:** No, that is the fourth speaker.

**Mr. Philip:** First, to the member for Eglinton—

**Mr. McLean:** On a point of order, Madam Speaker.

**Mr. J. M. Johnson:** He gets a chance to respond.

**Mr. McLean:** He certainly does, but we can have more than one member on our side who would like to comment, and I am sure that we have the opportunity to do that. Is there a time limit on the amount of people who can respond?

**The Acting Speaker:** There is a time limit on the response, and that time limit is two minutes for four people to respond. Four people have so responded. There is now two minutes for reply, and I am sure the honourable member wishes to do that.

**Mr. Philip:** The clock has been reset. Thank you, Madam Speaker.

In response to the member for Eglinton, she says that the Eaton Centre is not open. Well, the Eaton Centre is not open for two reasons. One is that the Eaton's company does not consider that it wishes to open, and it has made that view known; indeed, the municipality has decided it is not a tourist centre, and that is fairly clear. That is under our present act, and it seems to work well. If the member for Eglinton does not agree and wants the Eaton Centre to open, then maybe she should contact the Eaton's corporation and ask it to make an application under the present act.

1630

In terms of what I said about the Solicitor General, I have a lot of respect for the talents of

the Solicitor General. I just happen to believe that she believed, and I know she believed, in what she signed six months ago. I think that when a minister or anyone else does so obvious a flip-flop, a complete about-change, as the minister has done, then there has to be some reason. I have to believe the reason is not that she was incompetent, because I do not believe she is incompetent, six months ago and did not know what she signed or did not know what she was doing. Indeed, she was one of the most active members of the committee and contributed greatly to that report. One can just say then that she must have been overruled by the cabinet, and I am terribly sorry that has happened.

The member for Wellington has made some interesting comments. Basically, what he says is that there is no real definition of what powers are going to be given to the municipalities. There are a whole lot of powers being given, and if you look at those powers, they are the same powers that the Nova Scotia government gave to its municipalities and that it had to rescind because it found out they created a hodgepodge in that province.

In terms of the solution to the problem, I would—

**The Acting Speaker (Miss Roberts):** The member's time has expired.

**Mr. Philip:** Thank you.

**The Acting Speaker:** Does any other honourable member wish to participate?

**Mrs. Cunningham:** I would like to begin my observations this afternoon by making the point that Sunday shopping was the largest single issue in the March 31 by-election in London North. I think the citizens of London North spoke strongly and very clearly on the issue of wide-open Sunday shopping. In fact, they obviously are not in favour of wide-open Sunday shopping.

When I first started the campaign as one of the candidates, I was quite surprised to have to listen to the citizens at the door on this issue of Sunday shopping. I can remember returning to my home after a couple of days out and saying to my family that I could not believe how concerned the citizens, parents and young people, were about this particular issue. I feel somewhat honoured and privileged to have heard first hand the concerns of many families across one of the larger ridings in Ontario.

I must honestly say to this House that it was very seldom that anyone spoke, at least in the riding of London North, in favour of Sunday shopping. I am sure that was conveyed through



the vote of the electorate on the day of the by-election when we overcame the previous huge Liberal majority by some 3,500 votes.

The real issue as the citizens put it to me at the door was not so much Sunday shopping, although of course that is an issue, as it was the fact that people did not want to work on Sundays. Even those who were working who were members of the caring profession and who were very much a part of working on Sundays, because they were involved in necessary services, suggested they really had to jockey around the hours they had with their families through the week. It was a chosen profession on their part and they knew when they were accepting the responsibility of that work that it would entail some working on Sundays. They suggested, of course, that if they could avoid it, they would, and that it did impact negatively on their lives and the quality of life with their families.

In response to the concern over the definition of "tourism," which seems to be of real concern to this House, I suggest that a lot of time has been spent on this issue over the years. Looking at the research dating back to 1973 that we have had the time to look at since the election, and certainly within the last two or three years as committees have sat and as people have spoken on this issue across this province, I am sure a lot of sincere work has been done.

My great concern now for the committee going out this summer and listening to the public is that I hope that committee will be listening to the citizens of the province, and I say this directly to the Solicitor General, who is usually noted for her ability to listen honestly and openly.

I must say that it is not with a great deal of confidence—certainly during the by-election the citizens advised me that they were not particularly confident that this Liberal government is listening to the public, and I will be speaking to that further. My work on some of the committees, as limited as it has been, does not give me a lot of confidence that committee members are open-minded. I think sometimes they do not want to listen to the information. We certainly had a point and a concern at the meeting of the standing committee on public accounts.

The erosion of family life caused by a government which prefers to pass the buck to the municipalities when it is politically convenient, and which prefers not to pass the buck to the municipalities at other times when it may be politically convenient, is of concern to all of us.

I think I will just begin with an overview of the issue of Sunday shopping, based on my experi-

ence in London North and on some of the material I have been able to look at both as put forth by the government and as put forth in previous reports to this Legislature over a period of some 10 years.

My concern now is that despite widespread opposition from labour, retailers, church, quality-of-life groups, municipalities, and the 300,000-member Coalition Against Open Sunday Shopping, known as CAOSS, the government has forged ahead with its unpopular decision to enact legislation to permit wide-open Sunday shopping in Ontario. The citizens are confused and they are concerned. I am sure it will be hearing from them during the sessions that will be allowed this summer, and I use the word "allowed" carefully.

On April 25, after I was sworn into this House, the Liberals introduced both Bill 113, the Retail Business Holidays Amendment Act, and Bill 114, the Employment Standards Amendment Act. These companion bills were introduced, we were told, to ensure that retail stores can open Sundays and that retail employees are prepared to go to work on Sundays. The government has consistently maintained that it will heed public opinion and consult all concerned groups; but I think in typical fashion more recently, and certainly as a result of the September 10 election, the government has not kept its word. It certainly has not listened and it definitely has not consulted.

The proof of the pudding is that CAOSS, the umbrella group for all opponents of Sunday shopping, who have a right to their opinions and who should be listened to, has been refused an audience with the Premier. Not once did the Premier meet with CAOSS, nor did he meet with any of the quality-of-lifers and church groups which, combined as the interfaith committee, drafted a public statement to elicit some form of reaction from the government. Still the government refused to listen and it refused to budge.

The Premier's only movement was a computerized form letter. I could be mistaken and I stand to be corrected, but in looking through all of the materials I was able to obtain from the government and—a computerized form letter, and I am talking about the Premier: "No new legislation has been introduced as of yet and we are currently consulting with a number of groups on this important subject. Please be assured that your views will receive my careful consideration."

Certainly, many groups in London have not been consulted with, and they have advised me



so in some 27 letters; 27 separate groups which asked to have input have not had input.

The coalition and the opposition parties ask the government, whom did it consult? That is what I would like to know before you put this legislation forth. And how does total evasion constitute careful consideration? I think it would have been more honest to say that this government just has forged ahead because this is something it believes in strongly, but it should not use the words "consultation" and "careful consideration."

1640

If the Liberals have an open and consultative government, what is a closed one? As the Coalition Against Open Sunday Shopping has noticed, the government's listening skills are severely undeveloped on the Sunday shopping issue.

I believe in moving forward and not dwelling on the past, and I would like to say that thousands of petitions against Sunday shopping have poured into Conservative MPPs' offices since March. Despite these thousands of tangible protests, the government is determined and dogmatic about its decision to inflict its prejudices and injustices upon the people it has refused to listen to.

It was the Attorney General who first announced the Liberal plan to bring in legislation eliminating the common pause day. At the time, the government maintained that the final draft of the Sunday shopping legislation would meet the concerns of CAOSS and also fix the government's problems with the existing Retail Business Holidays Act with Bill 113.

The government assured all concerned parties by simply urging them to wait and see. This assurance came with ongoing requests for consultation, which the government repeatedly branded premature. Instead of consultation, the government went ahead and introduced the controversial amendments to the Retail Business Holidays Act, which passes off the burden of Sunday closing decisions to the local municipalities, and the Employment Standards Act in which the government boasts new protection for retail workers who are opposed to working on Sundays. I use the word "boasts" advisedly.

These amendments fly in the face of earlier Liberal promises to support a common pause day, and I think that perhaps the citizens of this province may have a longer memory than this government in fact gives them credit for. They certainly had a very long memory on March 31.

In opposition, the Liberals were against expanded Sunday shopping. No one is saying anything on that one. That is the past I am talking about. During the 1985 election campaign and up to November 1985, the Premier stated categorically that the Liberal government would not abandon the common pause day. No comments from the other side on that one either. OK; in December 1986, the Liberals said they felt the current law should be upheld. No comment.

In January 1987, although Sunday shopping had already been analysed by the PC task force, the Liberals sent the issue to a committee of the Legislature for study. The committee issued its report in May 1987 and recommended that Sunday be maintained as a common pause day and rejected the notion of wide-open Sunday shopping for the harm it would incur for family life and recreational pursuits.

Obviously, that report influenced the electorate of London North and the people I was able to talk to at the door. They either felt it themselves, believed in it themselves, or they had confidence at that time that someone was listening to them.

In November 1987, the Solicitor General said that choosing the municipal option would be the chicken way out. Certainly in London, the Solicitor General is on record as opposing open Sunday shopping, at least when she was an elected official of the city of London. People have a right to change their minds given information, and the citizens of London will be waiting to hear from the Solicitor General, as she probably will be on the committee this summer, since it happens to be such an important one.

What have the Liberals done? They have changed their tactics and reasoning entirely and have decided that their previous promises and commitments were unimportant, and we are looking for the wonderful reasons. I can assure them that not being able to define "tourism" will not be one that will be accepted by the citizens of the province of Ontario.

They have refused to accept responsibility in resolving the Sunday shopping issue. We ask ourselves the question: what compelling factors caused the Premier to change his mind? So far, there is no clear explanation. It appears to be a classic case of the Premier absolving himself of the responsibility for controlling a sticky situation, one which historically has fallen under provincial jurisdiction in this province.

I might add that one of the issues that came to light during the by-election was that the citizens of Ontario enjoy living in Ontario and enjoy the quality of life we have here. They are not



particularly interested in the quality of life in Vancouver where there is wide-open Sunday shopping. Those who want to shop go to other parts of the world where there is shopping on Sundays. To tell us that it is working elsewhere is of no consolation to people who do take very seriously and cherish the quality of family life in this province.

The Liberal position: is it fair and enforceable? The Liberals seem anxious to pass the proposed Sunday shopping legislation without recognizing the cost to the people and society at large. They claim their proposals will establish fairness for religious minorities and employees, and contend that the so-called local option allows a municipality to adapt the law to its individual needs.

They proclaim the Retail Business Holidays Amendment Act as a fair and workable alternative to current problems, such as roping-off practices by retail stores and arguments concerning what stores qualify for the tourist exemption. They herald the Employment Standards Amendment Act as a creation of historical new protection for retail workers by introducing the right of refusal for Sunday work which, in their view, is unreasonable.

**Mr. Ballinger:** Right on.

**Mrs. Cunningham:** I can assure the member that we will be waiting to see how enforceable this new legislation is.

Enforceable in the mind of one young man who spoke to me on Saturday, a young fellow who was working in a mall called Masonville Mall in London, one the Solicitor General knows fairly well: he described to me how he was asked to work on Sundays during a trial period at some time during his school year last year, I think probably leading up to Christmas. When he advised the employer that he was not available to work on Sundays because of family commitments and church commitments, he was advised that instead of having the 16 hours per week as a student that he had worked up to over two years, he would only be able to work some 10 hours a week.

That may not seem like a lot, but it was a point of principle that he was drawing to my attention as I was in that mall on the weekend, not particularly doing anything but doing some work and having a little look around with my family.

**Mr. Ballinger:** I hope it wasn't Sunday.

**Mrs. Cunningham:** No, we are not open on Sundays in London and so I do not have that concern. I would not have been in a mall on Sunday anyway.

Our position, that of the Progressive Conservative Party, is that the original Retail Business Holidays Act, supported by all three political parties and passed by the Ontario Legislature in 1975, provided for a common day of rest, and we are very proud to have been part of that, with exemptions including a Saturday option or a Sabbatarian exemption allowing certain stores to qualify for Saturday closing and Sunday opening and a formula for the designation of tourist areas.

Widespread and outright violation of the RBHA by retailers became commonplace, particularly in Metropolitan Toronto and on Boxing Day in 1985, and we were aware of that. Recognizing an ever-increasing dissatisfaction with the current retail laws, the Progressive Conservative Party commissioned a task force, which I have referred to previously, to study Sunday shopping in 1986. In April 1986, this task force revealed in its findings that the majority of Ontarians are opposed to wide-open Sunday shopping, but are in favour of some progressive changes. There were many progressive changes put forth to the recent task force that were listened to by the committee members and that were taken into consideration when those recommendations were made.

Considering that for hundreds of years Sunday has been a family day or a day of rest and relaxation, the Progressive Conservative Party supports the Committee Against Open Sunday Shopping and the principle of a continued common pause day for the good of families and maintenance of the quality of life in Ontario.

[Applause]

1650

**Mrs. Cunningham:** It is not so much tradition that is important as the basic human need to have at least one day of the week to rejuvenate both mind and body and to spend time with loved ones and friends. I am glad that you gave the Coalition Against Open Sunday Shopping the applause that you gave it. I am sure they will be very much appreciative.

A day of pause has a restorative effect on the human spirit and helps people to keep the remainder of the week in perspective. We value that in Ontario, and we plan to keep it. As a result, it also enhances productivity during the work week, and there is much research that would support that statement.

We can talk also at this point in time about students who work, both in school and in part-time jobs, whose parents very much appreciate the fact that there are retail employers now who are able by law—and who do—give them



Sundays to stay at home, do their homework and catch up with the news and relationships with their family.

Single parents are also in the retail workforce, and they are very appreciative of the fact that they are able to be home on Sundays and are quite concerned and somewhat disheartened by this legislation being introduced, because they know what kind of effect this will have on their families over a period of time.

Above all, it is women who have these part-time jobs and who are already looking for baby-sitters and support in their families when they are working on Saturdays, when children are not in school. They are now going to have to look for those kinds of supports on Sundays.

I think it is a shame that we should be looking at an extension of open Sunday shopping.

The member for Sarnia (Mr. Brandt) has commented that what the government is proposing is not fair; it is not right; it is offensive to literally thousands of families in this province. It is going to represent a hardship and a burden on working people and their families.

In so far as Bill 113 is concerned, the Progressive Conservative Party would favour some changes to the existing law, such as permitting shopping on some Sundays prior to Christmas and better definition of tourist areas currently exempted from Sunday closing laws. We are convinced that the definition of tourist region or tourist area is something that we could tackle in this joint committee. We hope that we will be allowed to do that and that it will be an open committee, a committee that is looking for new ideas and solutions to problems.

At this point I am going to convey, at least to the citizens who are getting in touch with me, that that is the intent of the committee, because that is the way it is going to be and we may as well trust that something good will come out of that committee. I hope that the government will be listening to whatever does happen, with open arms and open heart, and be prepared to do something that the citizens want, for a change.

Regarding Bill 114, the Progressive Conservative Party favours genuine and substantial protection for all workers. Bill 114, despite the government's claims, favours employees who prefer to work on Sundays. It is very clear as one looks through that legislation, and in the introductory speech the Minister of Labour said, "I am confident that all employees of Sunday opening retail establishments, including those, like students and some part-time workers, who

prefer Sunday work, will stand to benefit." That was a direct quote.

The minister admits that the legislation helps those who wish to work Sundays, but offers nothing short of hardship for those who prefer not to work Sundays, those who must work to support their families, not those who choose to work to supplement an income or choose to work because it is a fun thing to do to get experience, but those who must work to support their families.

With the establishment of a mediation process, no doubt an onerous and friction-causing system, Bill 114 offers retail employees no protection. In this system, the independent referee from the Ministry of Labour has all the power and the worker has none. I am sure we will be hearing more about that as we go through the province asking for input from the citizens of Ontario.

I could go on and talk a lot more and give more arguments against Sunday shopping, but I would like to summarize by making some four statements.

The quality of life for families will be impaired if we extend open Sunday shopping. Students and young people will be spending more time away from their homes.

Churches are very much concerned about the lack of quality of life nowadays in our society and are working very hard to have young people and families come back to the churches, and this makes it even more difficult for them.

The rights of workers have always remained at the provincial level to ensure that workers across the province can share and have equal access to the same rights, and we are concerned about this legislation with regard to Bill 114.

I think the government is using the excuse that only in a perfect world could everyone agree to a common pause day. We do not live in a perfect world, but I think we should working towards that end. This legislation is not going to assist us in achieving that common pause day for families. It is going to erode it, and it is very destructive.

**Mr. Dietsch:** I would like to make a couple of comments on the member's remarks. Quite frankly, there seems to be a misnomer in the member's comments dealing with the bill, that we are proposing wide-open Sundays. Nothing could be further from the truth. I have been on the record a number of times as being in opposition to wide-open Sundays. This is not what we are talking about. We are talking about local opportunity.

I want to assure the member that this province does not gyrate on the hub of Toronto. Each



municipality in this province has an opportunity to dictate its own future. Niagara-on-the-Lake is not the same as Thunder Bay and Kingston is not the same as Windsor, nor can we get a direct piece of legislation that deals with the province in terms of its diversity throughout the whole.

I can assure members that I, as the member representing the area I represent, and others here recognize that some of the points which have been made are valid points. We are not suggesting that there be wide-open Sundays. What we are suggesting is that each individual municipality has that local option to take into consideration those areas. We have to zero in on those areas of this bill that are positive, and there are many. We are dealing with the rights of workers. We are dealing with the leaseholds in the bill. We are dealing with a number of areas that are positive, and I would suggest that the member take those into consideration.

**Mr. Philip:** Perhaps in her response the member would like to give the previous speaker a lesson in geography in Ontario. The fact is that Vaughan and the regional municipality of Peel are right next to the municipality of Etobicoke or of Metropolitan Toronto. The fact is that the municipal option was tried in British Columbia and that regional municipalities which did not want to open had to open the moment they found that the adjoining municipality opened up and commerce went across the border.

**Mr. Dietsch:** The fact is that part of St. Catharines is open and part of St. Catharines is closed, part of Niagara is open and part of Niagara is closed—

**Mr. Philip:** The member for St. Catharines-Brock (Mr. Dietsch) does not want to listen to facts. If he had been on the select committee the way the minister was, he would know those facts of what happened in British Columbia and what happened in Alberta.

1700

**Mr. McLean:** I just want to comment briefly on the previous speaker. I enjoyed her comments very much. They were right to the point and they were right on. I have to tell you why I say that. When I hear people talking about the wide-open Sunday option, well—I have to say that I was involved in municipal life for 15 years before I came here and when you pass a bylaw for one side of the street and not the other side of the street, you can guess what is going to happen to the side you did not pass it for.

You say that it is right across the province. Somebody had mentioned earlier here that they

will not bother. I have to say that it is a bother and it is a concern to me. The statements made by the previous speaker were to the point. They were precise and they were telling it the way it is.

When you look at section 4 of the bill, it makes you wonder where the good sections in it are. The previous speaker for the Liberals had just indicated we ought to talk about and zero in on the positive side. Well, I am going to say I do not know where the positive side is. It is maybe on the right of me right now but I am not sure. It could be. I have to say that when we look at the clauses in this act, the member for London North (Mrs. Cunningham) brought them all out, and very precisely, and spoke of the way it was.

I remember, when we did the task force on Sunday shopping and travelled the province, what results we got from that. The Association of Municipalities of Ontario was supportive of our position. It is not supportive of your position by a long shot. I have to say that this bill is very badly flawed. You can travel the province all you want, but we know right here from the previous studies which have been done what we should be doing with this piece of legislation.

**Hon. Mrs. Smith:** I happen to share the same community with the past speaker, and I do not know whether she has managed to confuse the mayor or the mayor has managed to confuse her. This bill has nothing to do with wide-open Sundays.

In the city of London, which is rather typical, the day this bill passes, if the city does absolutely nothing, this is what will happen. Herbie's will close. A couple of other stores which are chained off or roped off will close. The oversized drugstores will close. The penalties which anyone has to pay will go way up. Not only that, they will not have to wait around till they are dragged to court two years later when a judge may not give them a big penalty. The judge will have to look at the volume of work they did to define their penalty. In the meantime the police will get a court order to close the store. They will not just keep doing business until such time as they get to court.

If you have this straight in your mind, I wish you would now go and tell the mayor. He keeps trying to confuse the poor people of London with this ridiculous expression, "wide-open Sunday." If he would just sit down and go home and look after his new baby, London will be more closed rather than more open and everyone will have just what you seem to want anyhow.

**Mr. Brandt:** I wanted to respond in part to some of the ridiculous arguments put forward by



the Solicitor General. She indicates that my colleague, the member for London North, is perhaps misguided with respect to this question. Let me tell her that all of her arguments are predicated on not making some of the very positive changes which the opposition has suggested to the minister. If she would in fact alter the legislation to firm up the stores which can legally be opened on Sunday, to strengthen the tourist exemption, which we have supported, she would not have the kind of fiasco she has right here at this particular time. Let me say that the kind of legislation she is proposing to bring forward and which she wants this House to endorse is legislation that will cause nothing but chaos in this province. It will cause nothing but chaos.

**Mr. Ballinger:** Baloney.

**Mr. Brandt:** My honourable colleague says, "Baloney." Let me tell him that he will have perhaps no difficulty purchasing bologna on a Sunday and he may need to because they shoot a lot of it over there.

I want to tell the minister, with the greatest of respect, that the vast majority of people in this great province of ours want controls on Sunday shopping. All they are asking her government to do is to not pass the buck; not, if the minister will pardon the expression, take the chicken way out. Remember that phrase? I remember a certain minister who used that phrase. She sat close to where the minister is sitting now when she indicated that passing it over to the municipalities was wrong. Well, we say to her again that it is fundamentally wrong. She is going down the wrong path with this legislation. She is causing great, great confusion in Ontario. I want to say, by way of closing, in the last second that I have, that she will pay a political price for it.

**The Deputy Speaker:** The member's time is up. There is no more time. The member for London North would like to respond.

**Mrs. Cunningham:** The member for St. Catharines-Brock talked about my misconception about wide-open Sunday. I will not back off. I believe that is what will happen if this legislation is passed. In fact, I know it will. All I can say is that part of St. Catharines may be open now and part of St. Catharines may be closed now, but in the future it will not be.

To the Solicitor General: I will go back and I will say to the mayor that wide-open Sunday shopping will most likely lead to price increases anywhere from 6 per cent up to 15 per cent. This is because of the extra cost of labour, depreciation on equipment, larger electric bills and

because the cost of doing business in general will increase. Because of the need for increased services—and I am now talking about bus service, more cost to the municipality; daycare, more cost to the municipality—taxes will go up across this province and taxes will go up locally to the municipality; and that is what the municipalities are concerned about. It is a service that no one is asking for, Sunday shopping; nobody wants it.

The poor Liberal candidate in the by-election on March 31 had to tout the Liberal line on Sunday shopping. I did not think she would win, but I did not think she would lose so badly. It was because of this issue. The public does not want open Sunday shopping. They had an opportunity to listen to the Liberal line. They heard things like "local opportunity." They did not buy it. They did not buy it on March 31 and they will not buy it in the next election. So beware and start listening to the public that has elected members to take their concerns to Queen's Park. We are against wide-open Sunday shopping.

**The Deputy Speaker:** Thank you. Do other members wish to participate in the debate? The member for York Mills.

**Mr. J. B. Nixon:** I, probably like many in the House, am opposed to wide-open Sunday shopping and, in fact, I just have to reiterate what so many will reiterate over the next several months. This law, Bill 113 has nothing to do with wide-open Sunday shopping. What it does do is establish a set of laws which are fair and equitable, clear and concise. They provide a provincial framework which will regulate the province, which is enforceable. Within the context of that provincial framework there is an opportunity for a local municipality to deviate and close down on Sunday or open up further on Sunday.

Be that as it may, what I would like to deal with in my short time is drawing the attention of the members of this House to an element of Bill 113 which I think is particularly important. That is the dramatically wider freedom of choice afforded to every community, business and person affected by this bill. Let me provide five examples of this freedom of choice. Quite clearly, this is a party that stands for freedom of choice. The two opposition parties wish to impose their will unilaterally on the entire province, something which we, as Liberals, find unacceptable. Indeed, the diversity of views put forward and represented in this House clearly indicates the diversity of the views in the diverse communities of the province of Ontario. I say, as an elected politician, "Respect that." These



parties say, "We will impose on them what we want regardless of the wishes of the local community." Let me speak to that.

The first choice, Mr. Speaker, if not the foremost, is the choice afforded all municipalities.

**Mr. Philip:** You are the one imposing it on the municipalities.

**The Deputy Speaker:** Order.

**Mr. J. B. Nixon:** They abide by the provincial framework respecting holiday shopping, and need not pass any bylaws to change the provincial framework. On the other hand, municipalities are free, if they so wish, to pass bylaws altering the provincial framework. They may relax the provincial rules and permit an increased level of holiday shopping or they may close more stores than the provincial framework allows now.

1710

I would like to take the members on this side of the House who belong to the other two parties, particularly the official opposition, back to the debate of 1975. George Samis, the former member for Cornwall, commented then on what was known as the municipal exemption:

"The question of municipal exemptions, I'm afraid, leaves us wide open to the possibility of abuse.... Our concern is that we have a situation where two municipalities within close travelling distance would possibly be in competition for the same tourist dollar. If one had special attractions, the other might be very seriously tempted to designate itself as a tourist area and therefore allow all sorts of stores to open up to try to catch up with the competing municipality in terms of business and attracting customers."

That is the domino theory 13 years ago. It did not happen then; it will not happen now.

The second element of choice that I would like to deal with is that a municipality that does choose to make its own rules with respect to Sunday and holiday openings is accorded the greatest freedom in doing so. Each municipality may choose in accordance with its own requirements to make rules regarding store closing or opening which takes into account such diverse matters as the time of day, the time of year, the size, the character, the location of the operation or the store, the number of persons employed or indeed any other criteria. I think it may be said that a municipality and its citizens cannot possibly be granted a wider freedom of choice than is afforded to them under the bill.

The mayor of Ottawa, Jim Durrell, encouraged the province to provide this opportunity, and I think he said it quite well. "It is better that municipalities be able to decide on their own rather than have a decision imposed on them by the province."

Once again, I would like to take the members back to 1975, when the original Retail Business Holidays Act was debated. The former member for Burlington South, the Honourable George Kerr, minister of the crown, said in reference to the green paper on store hours and store closing: "If the honourable members will refer to the green paper, they will see that one of the options is that the municipalities themselves, reflecting the habits of their consumers and of the stores, could in fact regulate store hours during the week. This has been done in the Hamilton area and with some success."

He goes on: "It has, for the most part, been successful, particularly in other areas such as Stoney Creek and Dundas and Burlington. That is one of the reasons why we have brought in this legislation," referring to the Retail Business Holidays Act.

Again, another minister of the crown—my friends in the third party might listen to this—the former Solicitor General the Honourable John MacBeth, said: "On tourist areas, we were relying on local autonomy. There are possible further answers to that as well. You'll note how we separate regional governments from local municipalities in that bill. If the municipality is a part of a regional government, the decision would have to be taken by the larger or the regional area to declare a tourist area. That presents certain problems for the north. We were content to rely on the wisdom of the municipality as such itself on the basis of local autonomy. That too can be considered."

What can be more reasonable than a principle that goes back in our liquor legislation to the 19th century, a principle which former Premier Leslie Frost was very proud to espouse when he dealt with the Sunday opening issue in the 1950s? He believed in the virtue of the local option, the local autonomy of a local municipality to make its decisions reflecting the diversity of that individual community.

I also point to the freedom of choice guaranteed to persons who observe their holy day on a day other than Sunday. They will be free under this bill to open their stores on Sunday when they close on another day in accordance with the dictates of religious freedom. I believe that such freedom recognizes and endorses, as it must, the



principle of freedom of religion enshrined in our Charter of Rights.

Some of the members may recall, again, the Retail Business Holidays Act in 1975 being debated and there was no provision upon its introduction for the Sabbatarian opening. It was the former member for Wilson Heights, Phil Givens, who rose to make a plea for the people in his riding, "particularly the Seventh-Day Adventists, because they have a general hospital on the border of my riding, Branson Hospital; and for the people of the Jewish faith who genuinely and sincerely spend their Sabbath day on Saturday in observation, contemplation and prayers. They feel that it is a very serious disability, and a very serious imposition on them, if they cannot keep their businesses open, particularly on Sunday."

This bill reflects the religious diversity of Ontario and specifically allows for the choice of individual store owners, store operators and employees to exercise the Sabbatarian exemption.

The fourth element of choice found in this bill that I would like to refer to is to point out that there is freedom afforded to retailers who are tenants or franchisees. No longer will tenants or franchisees be forced to open their stores on Sundays. This bill guarantees them a freedom of choice to open on such days where permitted to do so by law or not to open. They are not obliged to accept the dictates of the franchisor or the landlord, and the landlords cannot force such an obligation upon them.

Back in 1975, again when the Retail Business Holidays Act was debated, the issue was not raised clearly in the Legislature, but it certainly was recognized by the former member for Grey-Bruce, Eddie Sargent, commenting on the bill tabled by the former government. The motivation behind this bill, he says, "might also be to help the small independent, fast becoming another endangered species. And if this is so, I suggest that we're not correcting it by allowing Becker's Milk and Mac's Milk to run high, wide and handsome because in effect they have a blank cheque in this legislation."

The former member for Parkdale from the New Democratic Party commented on the proposed bill by saying, "The Conservative government in the past has always legislated in favour of the monopoly operations." Among other things, I assume he was referring to the franchisors who operated Mac's Milk and the landlords who operated super shopping malls, all of whose franchisees or tenants are forced to stay open on holidays where the landlord or the

franchisor chooses that they be open. No longer will that be so. Bill 113 gives a new and very specific protection to tenants and franchisees, the independent small businessmen and small businesswomen who provide so many of our new jobs in this province.

Fifth, and very important, retail workers are afforded the freedom to refuse work on Sundays and holidays when they consider such work unreasonable. Conversely, retailers may anticipate that their requirements for holiday staffing will be met so long as those requirements are not unreasonable, and that is a legal requirement.

Quite clearly, the former legislation was entirely inadequate in its attempt to protect workers. The present member for Oshawa (Mr. Breaugh) recognized that during the course of the debate in 1975, when he commented on the existing Progressive Conservative legislation "in terms of the rights of those people who are employed in those stores, many of whom who are not organized in labour unions. They are entirely on their own and are subject now to some rather loose labour legislation which is quite open to abuse."

I agree. That was the status of the Retail Business Holidays Act and 13 years of Progressive Conservative government. We have sought to change that. We have changed it. The Minister of Labour has introduced legislation which will provide clear protection.

Finally, in sum, it is fair to say to all citizens of Ontario that we are attempting to provide them, as a diverse community, with the widest possible freedom of choice on this important issue.

My friends to my right in opposition comment and make their rallying cry the phrase "a common day of pause." To the members, particularly in the New Democratic Party, I remind them of some words said in 1975 by the former member for Riverdale, Jim Renwick, a man for whom I have a lot of time. Commenting on the Retail Business Holidays Act, he said: "In summary, I say to the government, as has been pointed out, that you can't isolate this matter into something called a day of pause or a day of rest. Our society is much too complicated. You have selected the simplistic issue."

I could not say it better.

1720

**Mr. J. M. Johnson:** I would like to be critical of the member for York Mills (Mr. J. B. Nixon) making the comment that Bill 113 will not lead to wide-open Sunday shopping and tell him that I think he is very naïve.



If a municipality allows the stores to open on a Sunday, then the next municipality has to allow the same for its retail merchants or penalize them. Once it starts, there is no stopping it, so it will lead to wide-open Sunday shopping.

If members have any idea of the retail business, where one has competitors, as all merchants have, one realizes that once the opposition opens up, the retail merchant then has no choice but to follow suit. It is either that or they lose a percentage of their business. If there is so much business being transacted in six days and you spread it over seven, all you are doing is adding to the costs; you are not increasing sales. It just does not make sense.

In regard to the member saying the government is giving local option to the municipalities, I would like to read an editorial from the Association of Municipalities of Ontario. It is a message to the Premier and to the executive council of Ontario. It says, "Be advised that the Association of Municipalities of Ontario maintains its position that municipalities should not be charged with the responsibility of regulating retail store openings on Sundays and holidays." They want the government to look after that responsibility, but this government does not have the political courage to do so, so it sloughs it off on to the municipalities and says it is not going to have any impact on Sundays.

The government is not even realistic, it does not understand the problem and it does not have the courage to face up to the fact that the people of this province do not want this legislation.

**Mr. Philip:** The member for York Mills says the legislation guarantees that the small store owner will be protected under this act from being forced by the large mall owner to open on Sunday.

Perhaps I have not read the act carefully enough. Perhaps he can point out to me in this act where it requires a large mall owner to renew a lease with an unco-operative tenant. Perhaps he can show me in this act some clause that would give the small owner the protection that tenants have in a housing development that their rents could not be arbitrarily tripled or quadrupled if they do not co-operate with the mall owner and stay open on Sunday.

Perhaps I have missed that in the act, because I just do not see that in the act. What is to prevent a mall owner from simply getting rid, at the end of a lease, of anybody who does not prove co-operative and does not stay open on Sunday when the mall is open?

He says that somehow he objects to the use of "a common pause day." That is the same wording that was used by the select committee. One of the reasons it was used by the select committee is that the wording used in the Alberta act was found to be unconstitutional on grounds of religious discrimination. Therefore, the use of the words "a common pause day" is the use that is preferable, and, indeed, those were accepted as the preferred words by the Attorney General and by the previous Attorney General. I wonder what his objection is to having a common pause day for all of Ontario.

The other question I would ask him is: If this does not lead to wide-open Sunday shopping, why, when the municipal option was introduced by the Vander Zalm government in British Columbia, has it led to wide-open Sunday shopping in western Canada? What is there so different about Ontario that suggests it will not happen here?

**Mr. Pollock:** I just want to comment briefly on the remarks the member for York Mills made as far leaving things up to municipal option goes.

The government has not left things up to municipal option in regard to land severances. You can hardly get a land severance on class 5 and 6 land out there. You have to go through the Ministry of Agriculture and Food, and usually they turn it down. On the other hand, there is a situation where there are multimillion-dollar land developers around Toronto who are taking hundreds of acres of prime farm land for subdivisions. There is no municipal option there.

Also, this government has always stated it is in favour of promoting the tourism business. I have been told by some of these tourist operators—and bear in mind the fact that my particular riding is a vast rural riding—that if some of the bigger centres stay open, the people will not come out and patronize some of these tourist areas. That is a major concern to them. I just want to put that particular point on the record.

Also, there has been some talk here about saying that one side of the street was open and the other side was not. That is still going to be the way it is, because I have places where on one side of the street it is one municipality and on the other side of the street it is another municipality. If one goes for the local option and Sunday shopping and the other one does not, you are still going to have the same situation: One side of the street is going to be open and the other side of the street is not. I really do not see how this bill is going to fix things.



**Mr. J. B. Nixon:** I want to deal with two comments very quickly. One is the irrational belief that this is a bill about wide-open Sundays. It is clearly not and neither was the Retail Business Holidays Act previously passed in 1975 a bill about wide-open Sundays.

In 1975, people said it would lead to wide-open Sunday shopping. They cried and they complained that one street would force the next street to open up and sooner or later the entire province would fall. They said it in the 1950s when Leslie Frost argued for local option for Sunday sports events, and it did not happen then. When will they stop promoting these irrational beliefs and accept the historical evidence which we know has built up over a century in Ontario?

The second thing is that my friend the member for Etobicoke-Lakeshore talks about contractual relationships and when will we legislate that a landlord or a franchisor must renew the contract. The problem is that he is dealing in legal sophistry. If he has read these leases, if he has read these franchise agreements, then he understands that they are very complex matters that provide for rights of renewal, consent not to be unreasonably withheld, and clearly those matters are dealt with between the two parties during the course of negotiations with full legal advice. You cannot unilaterally just terminate a contract because you do not like the way someone is behaving, specifically when the person has a legislative right to do exactly what he set out to do.

We have irrational belief on the right, legal sophistry on the left. What we have in the middle is a piece of legislation that respects local communities, local autonomy and local diversity, and I suggest it deserves the support of all three parties.

**Mr. Philip:** Mr. Speaker, on a point of order: The member mentioned the member for Etobicoke-Lakeshore (Mrs. Grier). In fact, the member for Etobicoke-Lakeshore made no comments on his silly speech.

**Mr. Dietsch:** That was a silly comment.

**Mr. Mackenzie:** I do not know if that comment was any sillier than the last speech I just heard. If ever there was a case where the domino theory is to be feared, I think it is in this particular piece of legislation.

I am pleased to participate in the debate on Bill 113, but as I said in the last round in this particular fight, I am also sorry it is necessary. I think this is one issue in which the proverbial Liberal position of being all things to all people

has ended up with this Liberal government being hoist with its own petard in this issue.

**1730**

First they were agin it. I refer members only to the comments that were made so strongly by the Solicitor General on that committee, and I believe other members supported the position that she took just a few short months ago that this would be wrong. I recall the comments in the House that were made as well by government members.

Then what happened? It is a little bit difficult to understand, because it also was a position that they were not going to open up Sunday shopping during the election campaign, but all of a sudden we find that we have these bills before us and we hear that the government is going to go for local option.

I do not know whether it was that the Premier felt he might lose some votes on this particular issue, that their position had been stated too toughly by the all-party committee previously. I do not know whether it might upset the sort of yuppie image he was trying to create in this province or what; or maybe it was the Attorney General who just lost the stomach to continue fighting with the Magdars of this world and never could seem to bring that issue to a close, or maybe he just figured he was not a good enough lawyer to handle it. I do not know. But all of a sudden we have this magic solution. Instead of being against the idea of wide-open Sunday shopping, we are going to offer the local option and give somebody else the responsibility.

Then, of course, I suppose the game plan is to try to claim credit from all sides. I do not know whether the extended honeymoon went to their heads over there or whether they simply miscalculated, but when they talk about "This is not wide-open Sunday shopping," and they are being almost dishonest in making this kind of a comment, I would point out that AMO vote I think was something like 57 to 3. They do not want the responsibility either. They want nothing to do with it. I do not know who is asking for the responsibility. It is not a municipal responsibility basically.

If I can, I would like to read into the record a few short paragraphs in the brief of the Coalition Against Open Sunday Shopping, which some members over there found funny earlier. I do not know why, it is a pretty broad coalition of church and other groups, the CAOSS. I thought that their argument, their summary of this government's argument and then change of face, was right on. If I can read to you the comments they



have made here on page 2 of their brief, just the one bit of it, they say:

"Laws protecting the rights of workers have always remained at the provincial level to ensure that workers across the province could share and have access to the same set of rights. Those labour rights have devolved to municipalities. It appears that the Attorney General agrees with this principle in some places...the district court of Ontario...but not in others, the Legislature of Ontario.

"When Paul Magder appealed his conviction for opening on Sunday, Attorney General Ian Scott defended the conviction by presenting the following argument"—and let me give it to members:

"The evidence 'overwhelmingly' indicated that there was a need for a legislated pause day due to a reluctance on the part of many industries to regulate themselves in accordance with this objective.... There is an accompanying erosion of the opportunity for retail workers to participate in leisure activities with family, friends and others. A uniform pause day was needed to allow the pause day of retail workers to coincide with that of their school-aged children, spouses and friends and community events. A quality common day of recreation was needed for as many of Ontario's citizens as was possible.

"Employees in the retail sector were viewed as being in need of a statutorily mandated day of rest. Without such a regulation prohibiting Sunday openings, the vigorous competition for market share would force many retailers to open. Retail employees are generally nonunionized, have low job mobility and few, if any, mechanisms for the redress of grievances. As a group retail workers are not 'in an economic position to negotiate a satisfactory financial arrangement for Sunday work' and are 'subject to subtle economic pressure to work, particularly in large establishments, where employee resistance to management decisions to open would be met simply by replacing the resisting employee.'"

"The Attorney General very effectively summarized for the district court all of the arguments that CAOSS has been making since they announced their intention to reverse their policy. It is interesting to note that the court agreed with the Attorney General, at that time and upheld the conviction."

I hope all the members took the time to listen to that a bit or will read it in the Hansard following. But then, on April 14 in the Legislature, the same Attorney General ignored his own previous arguments by stating: "This change recognizes

the value of community autonomy and local choice in the matter of regulating Sunday and holiday shopping. Ontario is a vast and diverse province. The regulation of store openings must be sensitive to this diversity and recognize the differences among our communities."

Forgive me, Mr. Speaker, but you know there are some people who might say, "Boy, there's a healthy dose of hypocrisy in those two positions": the one argument, which is the summary of all the arguments we have been making and was made by CAOSS and used by the Attorney General in the conviction of Mr. Magder and upholding it, and then an exact reversal when he gets into the Legislature here and decides he wants open Sunday shopping.

Let the Attorney General tell me where he stands on this issue and how he can argue with a straight face when he reads that and reads the position that was taken in convicting Mr. Magder and now the position he has taken on this shopping. I am simply saying that there is, somewhere in this House, some real hypocrisy.

Let me make a couple of other very small arguments, but I think they are worth making. The United Food and Commercial Workers International Union has come out with a leaflet, and obviously its members—and most members are not organized in this field—are arguing against the Sunday-work legislation.

It is a question-and-answer leaflet, but I am going to give you the question and answer only on two of the several questions it asks.

First, "Who loses with Sunday shopping?" That is the question. The answer: "Retail workers and their families are the big losers. That is over two million people in Ontario. Workers who support retailing, public workers, maintenance staff, delivery drivers, etc., also lose. That is another 250,000 people. Small businesses which are family owned and operated will never get time off. Furthermore, most couldn't compete fairly with the big retailers for the Sunday shopping dollar. Communities lose as well, because of higher taxes and more family breakdowns." I think that is a valid question and answer, whether you agree totally with it or not.

But the second question I want to quote is, "Who wins?" The answer is: "Large mall developers, such as Cadillac Fairview, benefit the most. Since Sunday shoppers tend to shop in the larger malls, mall owners typically get a percentage of all sales. Seven per cent is the average in the province. And it won't be the shareholders who are working on Sundays. Large, big-city newspapers, such as the Toronto



Star, favour Sunday shopping because of the potential for higher ad revenues.”

I think the points made in both of those questions and both of those answers are real ones we should take a look at.

Workers: I guess we will have a separate debate on that particular bill, but when you have to have reasonable cause and when most of the workers in this trade are not organized to begin with, do not try to tell me—and the government will not get away with it; it does not believe it itself—that they have protection under that particular bill before this Legislature. They do not have it.

In any event, how do you prove it, when there is already, among many of the larger retailers, a substantial move away from full-time to part-time employment and a substantial saving on benefits as a result? I have had complaints, as I have stated in this House before, from workers who were cut back from 26 or 28 hours to 22 or 18 hours. So these workers refuse to work Sunday. They do not have to say anything else to them, but all of a sudden, maybe even a month down the road, they are only working 12 hours or 16 hours or 10 hours.

I have had cases like that where they did not want to fire somebody openly. Tell me how the government is going to protect that worker. It is as simple as ABC to discipline the workers who decide they are not going to participate in the Sunday shopping. They will not have the protection.

**1740**

I guess when I started I had thought of reading into the record a large number of letters I have had. I will not, but I am going to read two or three because they were not the standard form letters and I think they also tell the tale in terms of what the people want in this province. On this issue, when I said that this government hoist itself with its own petard, I think it has made a mistake and miscalculated what the people want in Ontario.

Let me read one here first, very simple and very well done:

“We, the undersigned, do not support the extension of Sunday shopping, and we also consider that the legislative authority regarding Sunday shopping should remain the responsibility of the provincial government of Ontario.

“First, we do not support Sunday openings. Sunday openings provide for potential threats against those values and enhancing features of our present way of life, as well as against the rights and needs of minority religions. Our legislation needs to maintain limits to the

importance of commerce in our society, it must protect persons from unwanted conflicts of conscience between work and religion and family, it needs to maintain family togetherness and the general benefits to everyone’s physical, emotional, spiritual health in an increasingly stressful and materialistic environment. For all these reasons, we do not support the extension of Sunday openings.

“Secondly, we do not support that the provincial government delegate the responsibility for the legislation to regulate Sunday openings to the municipal governments. By reducing this legislation to the responsibility of the municipal governments, the provincial government of Ontario is unloading itself of a contentious issue and making it more possible for those interests favouring Sunday shopping to achieve their ends by picking off municipalities one by one and using each compliant municipality to put pressure on its neighbours to comply also.

“Thus, for the sake of preserving and protecting those values, needs and rights which a commerce-free Sunday provides for individuals, families and minority religions, we oppose the extension of Sunday shopping and ask that the legislative authority regarding Sunday shopping remain the responsibility of the province of Ontario. We ask that you tend to this matter quickly and effectively.”

I think it is a very well done letter and it is signed by the School of Sisters of Notre Dame, 96 Barons Avenue South in my riding and signed by the seven sisters, well respected in that particular organization.

Another one, very simple:

“Dear Sir:

“I am concerned about new Sunday shopping laws that have been proposed. This is the only day of the week that I am able to spend with my family. I have worked in retail for 15 years on a full-time basis and have no problem in getting all of my own personal business in order, such as banking, marketing and personal needs attended to.

“I now have a day off during the week and Sundays. If the new law is passed, I will be in a position to work on this day. My feelings are, anyone that wants Sunday openings do not work and do not need this additional day of work. Sundays off mean too much to those of us who use them.”

This is the third and last one. I have read these only because of the literally hundreds, in my office alone, of form letters that came in, which in many cases were well done. This is a lady on



Rosseau Road. The other lady was on Queenston Road in my riding.

"I am a part-time employee of a retail store, and I am writing in regards to stores opening on Sundays. I would like to state that I am strongly against them being open on Sundays. The extra day will not create any extra jobs. There will not be any more staff hired. It won't even give more work hours to the part-time employees. If consumers think that it is difficult to find sales help now, it will be even worse if the stores open Sundays.

"I have to work evenings and Saturdays, as well as daytime. My children attend school during the week. When will we be able to spend time together? When can I help them with their homework? What about when they have problems and need emotional support from their parents?

"Sunday is the only day we have to visit grandparents and other relatives as a family. Opening Sundays would mean the end of the family life as we know it at the moment. Consumers will not have any extra money to spend simply because stores are open an extra day. Actually, by keeping stores closed, you may be keeping people out of debt.

"Sunday openings will also cause a need for even better transportation. Sunday bus scheduling is very minimal. Sunday store openings will cause problems for people needing child care facilities. The need for stores to open on Sundays is supposedly because of a lack of time throughout the week. Well then, does this not mean there must also be a need for city hall, banks, insurance companies, gas companies, hydro and telephone offices, lawyers and all businesses and services to remain open seven days a week? It must mean prime ministers, premiers, mayors and all politicians should be in their offices on Sundays also. There is no law, a bill, that you can pass that will help prevent us from being forced to work on Sundays.

"I am presently going to night school in order to complete my education. It is difficult to get the evenings off work for school. If I refuse to work on Sundays, I will be forced to give up night school. Tell me what bill will prevent such blackmail. Also, anyone who works part-time and refuses to work on Sundays will have their hours cut back. What are you going to do to help them?

"In summing up my letter, I just want to point out that my reasons for not doing business on Sundays are not religious but family. Religion does not have to be practised on a specific day,

but family is every day and Sunday is the only day we all can count on being together. Please make your decisions intellectually and with your heart, not your wallet. I will be anxiously awaiting for your answer to all of my concerns.

"Sincerely"—as I say, a lady on Rosseau Road in my riding.

I want to say just in closing that, sure, there is a convenience factor, but what are we looking for in society today? Just what are we trying to prove? Is it that the dollar is the only thing that counts? Is it that we want to follow so much of the American example, wide-open store shopping? Has it done anything better for them down there than it can do in our province or our country here and our ways?

I do not think so, and it is not a philosophical issue with me; I just think we should be looking at shorter hours and more family time. We have not made any moves at all in this province, in spite of my urging, I know, to shorter work weeks or to more vacation time or to easier time in this respect for working people and families in this province.

What, really, is there to be gained?

The arguments are there. I think they are overwhelming. It is not a question of not forcing additional Sunday shopping. We went through that experience, as I told this House once before, in my community. If you get a community made up of four major parts and one of them decides it is going to open, the pressure is immediately on those municipal politicians as well as from the merchants who fear they are going to lose some.

There are no extra dollars. If they are all open, nobody is going to make an extra dollar, as some of these letters indicate, but if only one of them is open, sure, there are some people who are going to take advantage of it, and that means there are some potential losers in the other immediately adjacent municipalities and the pressure is on.

I think the government really is copping out, because it really is a worker protection issue as well, when it turns this over to the municipalities. I ask them once again, as I did in my last speech, to reconsider their position. If they want the Liberal Party to make some real gains on this issue, I do not think they have the public with them. There are a few of them who have been honest or dishonest enough to sign petitions against this; I am not sure which is the case because I have not heard them speak out in the House, but I know some of their signatures are on petitions against this Sunday shopping.

For Pete's sake, on this issue, put it on the back burner or back off for a while and take another



look at it. You will win one hell of a lot more brownie points than you will if you continue trying to drive this legislation through. It will not solve the problems and will not give workers any protection and I do not think it will make us a better or more civilized society. I do urge the government to take another look at it.

**Mr. Speaker:** Are there any comments or questions?

**Mr. McCague:** I would like to compliment the previous speaker on his grasp of the issue as it affects the opinions of the people of the province. I know the honourable member cannot answer my question, but I just was wondering, who is here with any degree of authority monitoring what is being said on this issue by the government itself?

**Mr. Dietsch:** I'm here, George.

**Mr. McCague:** The member for St. Catharines-Brock is here. Well, yes; that really shows the interest the government has in hearing the opinions of the people around the province. After all, what we are doing on this side of the House is bringing to the government's attention what people are saying about this legislation. I do not disagree with some of the things that are said by the government side, that there is some misunderstanding on this bill. That is true, but there are also an awful lot of realities in the things that are being said by the people on this side of the House who are, as I said, reiterating the points that are made by people out there.

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I have municipalities that are situated on the corner of four townships. The town, of course, has a commercial shopping section, but so do the four townships surrounding it. Now what do they really do if one goes for it and the others do not? Furthermore, what does a council do if it is petitioned by 15 businesses out of 50 in a municipality? They are almost obliged to try Sunday shopping. There is a lot more whipsaw effect to it than the government is prepared to acknowledge.

**Mr. Speaker:** Any other comments or questions? The parliamentary assistant.

**Mr. Kanter:** I just rise to comment on the remarks, I believe, of the member for Simcoe West (Mr. McCague)—

**Mr. Harris:** You cannot do that. You are supposed to comment on the remarks by the speaker.

**Mr. Kanter:** —perhaps relative to the comments of the member for Hamilton East (Mr.

Mackenzie) and some of the comments made in connection with his remarks, to indicate that the minister was indeed in attendance for most of the debate this afternoon and I have been monitoring the subsequent comments. The Minister of Labour was here for much of the afternoon as well.

I have been noting and monitoring the comments, including the suggestions as to where the legislative committee might attend. We have been listening with great interest. As has been indicated, the committee will travel—it has a reasonable time period allocated to it—and we are quite prepared to travel to various parts of the province to hear views. I have certainly taken note of the remarks of one of the members of the third party as to where we should indeed travel.

I can assure all members that we are listening, listening particularly for positive and constructive suggestions, and any that we hear we will take into account and try to incorporate, through the committee process, into the bill.

**Mr. Speaker:** Are there any other comments or questions on the remarks made by the member for Hamilton East? If not, the member for Hamilton East may wish to make a response for up to two minutes.

**Mr. Mackenzie:** My response is, as I ended up my pitch, that this is one issue where I think it would behove this government—and I sincerely wish it would—to take another look at the direction it is going in.

**Mr. McLean:** I am pleased to take part in this debate. I am sure that what I have to say about this bill will not be able to be all accomplished this afternoon. I would like to say that having the opportunity to get started is not really fair because I am only going to get warmed up, having been involved in the Sunday shopping issue for some 20 years now.

There is one part of this bill that I want to read into the record, and I think it is very important that it be done because I have heard a lot of talking here this afternoon about wide-open Sunday shopping and partially open Sunday shopping. I have to tell members one thing. If we allow one municipality to open, quite obviously the municipality next to that is going to open too. When that happens, it is a snowball effect and it goes right across the province.

Interjection.

**Mr. McLean:** One member says, "It is not the same in Niagara Falls as it is in Thunder Bay." Well, it is only a matter of time until it will be same across the province.



Section 4 reads: "Despite sections 2 and 3, the council of a municipality may by bylaw permit retail business establishments to be open on any holiday or may require that retail business establishments be closed on any holiday."

It goes on to say: "The Lieutenant Governor in Council may by regulation, in respect of retail business establishments in territories without municipal organization, exercise the same powers that a council of a municipality may by bylaw exercise under subsection (1)."

There was a speaker here this afternoon who indicated that they do not have to do anything if they do not want to. According to this bill, they shall pass a bylaw determining whether they are in favour of having their businesses open in that municipality or whether they are in favour of having those businesses closed in that municipality.

It goes on to say, in section 3, "A bylaw or regulation under this section may be restricted to one or more retail business establishments or to any class or classes of retail business establishments as specified in the bylaw or regulation."

It is saying that every municipality, the 839 or 840, all have to pass bylaws to indicate whether they want their municipality to allow the stores to be open. Really, the onus is strictly on that municipality.

It goes on to say, in section 4: "A bylaw or regulation under this section, (a) may apply to any part or parts of the municipality or territory." In other words, they can regulate it to certain stores being open or closed, but the essence of the whole bill is the fact that there has to be a bylaw passed.

It says: "(b) may limit the opening of retail business establishments on holidays to specific times or to a certain number of hours." There are many ways they could pass a bylaw to extend the hours or to have the whole municipality closed. The concern we have in some areas is that the present law can be expanded to include specific times. We do not need a whole new Bill 113 to bring in specific times. That can be put in the present legislation already there.

It goes on: "(c) may permit the opening or require the closing of retail business establishments on certain holidays and not on others." When we look at the sections, and there are about six of them in section 4, they give the municipali-

ties a lot of alternatives of what they may want to do, but once there are three or four of them, there is going to be no end to the chaos within those municipalities.

You have a highway going through, with, on one side, the township of Tiny and next to that is the town of Midland on the other side of the road. If Tiny passes a bylaw to open, it is in the area of the town of Midland, so Midland automatically has to pass a bylaw because there is competition and it is going to be fighting the competition.

It also says: "(d) may restrict the opening of retail business establishments on holidays to specific period of the year or require the closing of business establishments on holidays during specific period of the year" and "(e) may classify retail business establishments by size, number of persons employed, character of business, geographic location or any other criteria."

How many different criteria is the government going to have in all the different municipalities across this province? It is not understandable to me, and I spent 15 years dealing in municipal politics, that a bill of this nature would ever be accepted by the majority of the municipalities.

We just finished dealing with Bill 106 where the Association of Municipalities of Ontario and many municipalities had input. I did not see one of the amendments which were put forward accepted by the government, because it did not want them. It was our members who were putting the amendments forward which were established and recommended by AMO, the Rural Ontario Municipal Association, small urban Ontario and school boards. There was not one accepted by the government. I say shame. The government is supposed to be listening to the people and it is not listening to the people.

**Mr. Speaker:** I do not like to interrupt the honourable member but if he has further—

On motion by Mr. McLean, the debate was adjourned.

**Mr. Speaker:** Just before I adjourn the House, I would like to inform the members that there is an awards ceremony taking place on the main staircase. They might find it easier to get to the first floor by some other means than the staircase.

The House adjourned at 6 p.m.



## ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

### HOSPITAL SERVICES

**108. Mr. Runciman:** Will the Minister of Health inform the House if the article in the April 8, 1988, edition of the Ottawa Citizen indicating that the Royal Ottawa Hospital is overcrowded and is forced to turn away many needing psychiatric help was accurate or not, and if not, why not; and if overcrowding is occurring at the Royal Ottawa, will the minister explain why the Brockville Psychiatric Hospital with 112 vacant beds as of April 15, 1988, is not being utilized to relieve the Ottawa situation? [Tabled April 20, 1988]

**Hon. Mrs. Caplan:** The Royal Ottawa Hospital reports a very high occupancy rate (i.e., 100 per cent). However, there are other hospitals in Ottawa providing psychiatric care which do not have as high an occupancy rate (e.g., Queensway-Carleton 92 per cent, Montfort Hospital 92 per cent and the Ottawa Civic Hospital 95 per cent). Psychiatric patients requiring admission to the Royal Ottawa Hospital are being transferred to these other hospitals in Ottawa.

A recent report of the Ottawa-Carleton Regional District Health Council entitled A Model of Psychiatric Care in Ottawa-Carleton did not specifically call for more psychiatric beds. Instead, it concentrated on developing and improving ambulatory outpatient, day treatment and crisis intervention programs in order to alleviate some of the pressures of existing psychiatric beds.

The Ministry of Health is currently reviewing two proposals for outpatient psychiatric services as part of the new/expanded, hospital-based program proposals. The first involves an expansion of the psychiatric day hospital programs at the Royal Ottawa Hospital and the second calls for an expansion of the psychiatric evening program at the Queensway-Carleton Hospital.

The ministry is providing more than \$2 million for 10 community mental health programs in the Ottawa area. The programs provide a variety of community support services ranging from social rehabilitation to support housing for people with psychiatric problems.

Regarding psychiatric patient transfers to Brockville Psychiatric Hospital, acute psychiatric patients who cannot be treated in a schedule I facility in Ottawa-Carleton could then be treated at Brockville Psychiatric Hospital, the next

closest schedule I facility. The Royal Ottawa Hospital did not make any referrals on April 15, 1988, to the Brockville Psychiatric Hospital and there was no patient on a waiting list for a bed at the Brockville Psychiatric Hospital.

On April 15, 1988, there were 108 beds vacant at Brockville Psychiatric Hospital.

### BROCKVILLE PSYCHIATRIC HOSPITAL

**110. Mr. Runciman:** Will the Minister of Health indicate if any expansion of forensic facilities, perhaps a minimum security facility, is being contemplated for the Brockville Psychiatric Hospital? If yes, when will such expansion take place? [Tabled April 20, 1988]

**Hon. Mrs. Caplan:** Of the 10 provincial psychiatric hospitals, five facilities have secure units. Brockville Psychiatric Hospital has a 40-bed medium secure unit. At this point in time, there is no plan to expand the secure unit at Brockville Psychiatric Hospital.

### HIGHWAY CONSTRUCTION

**121. Mr. Cousens:** Would the Minister of Transportation provide a financial budget for the construction of Highway 407 that will be allocated for construction in fiscal year 1988-89 and give some indications as to when 407 will intersect with Yonge Street and Highway 404? What are the long-term plans for Highway 407? When will the highway be built from Highway 404 to 427? What plans are there to extend Highway 407 east of 404, and when could this construction begin? [Tabled April 25, 1988]

**Hon. Mr. Fulton:** The budgeted expenditure for construction of Highway 407 and associated work in the 1988-89 fiscal year is \$17.6 million.

The current multi-year work plan provides for construction of Highway 407 between Highway 427 and Highway 400 over an eight-year period. A further extension of Highway 407 from Highway 400 easterly to Highway 7-Dufferin Street is programmed as an interim connection to the existing arterial system.

Any further extension beyond the current programmed sections and whether priority will be given to an easterly or westerly extension (or both) has not yet been decided.

A study is presently under way to designate and protect a route for the extension of Highway 407 east of Highway 48 through the regional



municipality of Durham. The timing of construction is indeterminate at this time.

Additional government expenditures are also anticipated in 1988 approximating \$25 million in property acquisitions for the Highway 407-400 interchange. These expenditures will be incurred by the Ministry of Government Services.

#### MINISTER'S TRIP

**126. Mr. McLean:** Would the Minister of

Tourism and Recreation provide an itemized breakdown of expenses incurred by himself, his executive assistant and special assistant, including those for transportation, meals, accommodations and taxis, etc., during their recent trip to Calgary, Alberta, during the 15th Winter Olympic Games? [Tabled May 2, 1988]

**Hon. Mr. O'Neil:** Costs incurred during my travel to the 15th Winter Olympic Games in Calgary were as follows:

	Transportation (including taxis)	Meals	Accommodations	Total
Hugh P. O'Neil	\$ 934.00	\$404.08	\$1,474.12	
Special assistant	982.00	185.00	919.75	
Executive assistant	950.00	198.85	910.10	
	<u>\$2,866.00</u>	<u>\$787.93</u>	<u>\$3,303.97</u>	<u>\$6,957.90</u>

#### HOMES FOR THE AGED

**127. Mr. Cousens:** Would the Minister of Community and Social Services provide the following information: (1) which municipal and charitable homes for the aged have received capital funding from the ministry of any other ministry for capital purposes as of January 1, 1986; (2) the amount of capital funding per facility, and (3) the number of beds in each facility and the age of each facility? [Tabled May 3, 1988]

See sessional paper 264.

#### FRENCH-LANGUAGE SERVICES

**129. Mr. Runciman:** Would the Minister of Health advise the House of the services she was referring to in a December 2, 1987, speech to the Ontario Hospital Association, where she indicated that she would be "asking district health councils to review the current state of French-language services in our hospitals and make recommendations to expand these services in compliance with the new legislation"? Would the minister further advise as to what the cost implications, province-wide, are for hospitals in order to comply and how such services will be funded? [Tabled May 4, 1988]

**Hon. Mrs. Caplan:** District health councils were asked, at a meeting of all chairmen and executive directors last March, to make recommendations concerning those transfer payment agencies which ought to be designated to provide services in the French language under the French

Language Services Act. Transfer payment agencies include such entities as hospitals, nursing homes, ambulances and community mental health programs.

Until such time as the district health councils complete their studies and make their recommendations, the ministry is unable to estimate the cost of providing French-language services in hospitals.

#### MINISTER'S OFFICE FURNITURE

**130. Mr. Jackson:** Would the Solicitor General explain the purpose of the sum of \$105,240 which her ministry paid to Croyden Furniture in the 1986-87 fiscal year? [Tabled May 5, 1988]

**Hon. Mrs. Smith:** In response to the indicated order paper question, please note that the sum of \$105,240 paid to Croyden Furniture represents purchases made by the ministry from June 1986 to March 31, 1987, for office furniture such as desks, credenzas, filing cabinets and computer workstations.

#### MINISTER'S STAFF

**131. Mr. Jackson:** Would the Solicitor General provide the salaries, the titles and date of the commencement of employment of the individuals employed within her office as of April 29, 1988? [Tabled May 5, 1988]

**Hon. Mrs. Smith:** Attached is my response to the indicated order paper question.

**Ministry of the Solicitor General  
List of Solicitor General's staff**

Name	Title	Salary range (p.a.)	Date of commencement
Dee Summa, A.	General assistant	\$18,000-\$32,000	87-09-30
Farrant, G.	Special assistant	\$35,000-\$50,000	87-09-30
Gill, L.	General assistant	\$18,000-\$32,000	88-02-15
McGrath, E.	Special assistant	\$35,000-\$50,000	87-12-01
Misener, J.	Special assistant	\$35,000-\$50,000	87-10-26
Rennick, D.	General assistant	\$18,000-\$32,000	87-11-02
Shamie, J.	Special assistant	\$35,000-\$50,000	86-08-27
Walker, J.	Minister's secretary	\$28,000-\$38,000	87-11-02
Wahl, S.	Executive assistant	\$50,000-\$69,000	87-12-08

**132. Mr. Jackson:** Would the Solicitor General provide details of any travel expenses paid to those individuals employed within her

office as of March 31, 1988? [Tabled May 5, 1988]

**Hon. Mrs. Smith:** Attached is my response to the indicated order paper question.

**Travel expenses paid to minister's staff from  
September 29, 1987, to March 31, 1988**

Name	Date paid D-M-Y	Accomm. \$	Meals \$	Travel \$	Other \$	Total \$	Comments
Rennick D.M.	17-11-87		60.36		22.69	83.05	November 2 to 10, 1987, expenses
Rennick D.M.	25-11-87		66.52		18.00	84.52	November 15 to 20, 1987, expenses
Rennick D.M.	02-12-87		94.44		18.00	112.44	November 21 to 29, 1987, expenses
Rennick D.M.	08-12-87		73.00		28.00	101.00	December 1 to 5, 1987, expenses
Rennick D.M.	15-12-87		72.34		29.25	101.59	December 7 to 12, 1987, expenses
Rennick D.M.	06-01-88		183.85		52.75	236.60	December 13 to 30, 1987, expenses
Rennick D.M.	12-01-88		78.95		34.50	113.45	January 4 to 8, 1988, expenses
Rennick D.M.	19-01-88		97.05		47.75	144.80	January 11 to 16, 1988, expenses
Rennick D.M.	26-01-88		61.45		67.95	129.40	January 18 to 22, 1988, expenses
Rennick D.M.	03-02-88		72.30		46.50	118.80	January 25 to 29, 1988, expenses
Rennick D.M.	10-02-88		79.60		31.00	110.60	February 1 to 5 expenses
Rennick D.M.	16-02-88		71.55		35.50	107.05	February 8 to 12 expenses
Rennick D.M.	01-03-88		91.84		42.00	133.84	February 15 to 19 expenses
Rennick D.M.	08-03-88		70.40		24.50	94.90	February 28-29, 1988, and March 2-4, 1988, expenses
Rennick D.M.	15-03-88		68.66		27.50	96.16	March 7 to 10, 1988, expenses
Rennick D.M.	23-03-88		73.05		30.00	103.05	March 11 to 18, 1988, expenses
Rennick D.M.	29-03-88		73.44		23.00	96.44	March 21 to 24, 1988, expenses
De Summa A.	23-12-87		205.00		88.55	293.55	October 1-7, 1987, expenses
De Summa A.	23-12-87	256.17	223.00		39.05	518.22	October 8-31, 1987, expenses
De Summa A.	23-12-87		125.00		28.70	153.70	November and December, 1987, expenses



**Ministry of the Solicitor General  
List of Solicitor General's staff**

Name	Title	Salary range (p.a.)				Date of commencement
De Summa A.	01-02-88	60.00	21.00	21.50	102.50	January 1988 expenses
McGrath E.	03-03-88	23.08	742.49	32.00	797.57	December 1987, January and February 1988 transport between London and Toronto
McGrath E.	24-03-88	112.25	642.82	8.00	763.07	March and April 1988 transport between London and Toronto

**133. Mr. Jackson:** Would the Solicitor General provide details of all summer positions available within her office or that of her parliamentary assistant during the summer of 1988, including the job descriptions, salary ranges or wages scales, method of candidate selection and successful applicants, if any, as of April 29, 1988? [Tabled May 5, 1988]

**Hon. Mrs. Smith:** In response to the indicated order paper question, please note that no provision has been made for summer student positions within my office or that of my parliamentary assistant for the summer of 1988.

#### CHILD CARE

**134. Mr. Jackson:** Would the Minister of Education provide the details of expenditure by the ministry for child care costs by individual school boards, including capital costs for such purposes? [Tabled May 5, 1988]

**Hon. Mr. Ward:** Detailed expenditure reports are not available at this time from individual school boards. The only funds that the Ministry of Education spends on child care are the capital funds allocated to school boards since June 1987 for the provision of new child care space in new schools. The following list provides an accounting of these funds by school board for 1988-89:

Dufferin-Peel RCSS, \$1,390,000; Dufferin Board of Education, \$470,000; Durham Board of Education, \$705,000; Durham Region RCSS, \$470,000; Etobicoke Board of Education, \$235,000; Halton RCSS, \$450,000; Hamilton-Wentworth RCSS, \$235,000; Metro Separate School Board, \$685,000; Peel Board of Education, \$920,000; Peterborough Board of Education, \$235,000; Scarborough Board of Education, \$470,000; Simcoe RCSS, \$470,000; Waterloo Board of Education, \$470,000; Waterloo RCSS, \$685,000; York Region Board of Education, \$1,370,000; York Region RCSS, \$1,390,000; Carleton Board of Education,

\$235,000; Renfrew Board of Education, \$235,000; Lanark County Board of Education, \$235,000; Prescott-Russell RCSS, \$235,000; London Board of Education, \$235,000; Kent Board of Education, \$235,000; North of Superior RCSS, \$235,000.

#### CANADIAN SHIELD SPRING WATER CO. LTD.

**141. Mr. Wildman:** Would the Minister of Industry, Trade and Technology inform the House of the total amount of the financial investment by the Resource Technology Centre in the Canadian Shield Spring Water Co. Ltd. of Sault Ste. Marie and the percentage of equity in this company received by the Resource Technology Centre as a result of this investment? [Tabled May 17, 1988]

**Hon. Mr. Kwinter:** The Ontario Centre for Resource Machinery Technology has invested \$300,000 in a debenture and will receive 30 per cent of the Canadian Shield Spring Water Co. Ltd. equity for \$1.

#### INTERIM ANSWERS

**266 to 271. Mr. Jackson:** Hon. Mr. Ward—Answers are not available at this time. Answers will be available on or about July 4, 1988.

#### RESPONSES TO PETITIONS

##### RETAIL STORE HOURS

Sessional paper P-7, re Sunday shopping.

**Hon. Mrs. Smith:** The government has concluded that municipalities should have the option to decide retail hours on Sundays and other holidays and has introduced legislation to accomplish this.

The legislation recognizes that attitudes and conditions vary widely across the province and that municipal governments are in the best position to determine, locally, appropriate approaches to this issue. It should be emphasized that this does not imply wide-open Sunday

shopping. Those municipalities that wish to open may do so. Those that wish to restrict Sunday shopping may require retailers to remain closed on Sunday.

The Minister of Labour has introduced legislation which will establish the right of all retail workers to refuse Sunday work, which is in their view unreasonable. That legislation will protect workers against reprisals and provide for mediation to resolve situations in which the parties cannot agree.

The current situation clearly needs to be addressed. Inconsistencies in the present legislation have led to unfairness and uneven enforcement of the law. The proposed amendments will ensure that the law is fair and enforceable.

#### RECREATION TRAIL

Sessional paper P-11, re Marmora subdivision being developed as a recreation trail.

**Hon. Mr. O'Neil:** The role of the Ministry of Tourism and Recreation has, historically, been to assist municipalities and community organizations who may wish to assume direct responsibility of recreation/fitness trails rather than direct provincial involvement in property acquisition

and management. To this end my ministry has already provided a \$30,000 planning grant to the county of Hastings towards a feasibility study of the outdoor recreation potential of the Marmora/Lake St. Peter abandoned rail right of way.

#### ONTARIO HYDRO ADMINISTRATIVE CENTRE

Sessional paper P-20, re Ontario Hydro in Warren.

**Hon. Mr. Wong:** Ontario Hydro is at the present time conducting a study of its operations and customer requirements in the area served by its Warren office. When this report is completed, there will be a full review, and discussions will be held with local municipalities. Every attempt will be made to ensure that the economic and social impacts will be taken into account before any changes are made in the existing operations.

#### INTERIM RESPONSE

Sessional paper P-19, re Dryden Board of Education.

**Hon. Mr. Ward:** An answer to this petition is not available at this time. A full response will be available on or before June 24, 1988.



## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Orillia L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cunningham, Dianne E. (London North PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
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**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
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**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
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**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Economics  
 and Minister of Financial Institutions  
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**Oddie Munro, Hon. Lily**, Minister of Culture  
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No. 75

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**

Tuesday, June 7, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

**Tuesday, June 7, 1988**

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### ONTARIO HYDRO ADMINISTRATIVE CENTRE

**Miss Martel:** In the past few weeks in this House, I have tried to highlight the situation in the village of Warren in the east end of my riding. There, Ontario Hydro is proposing to relocate 12 administrative jobs from the community to North Bay. I have done so in order to persuade the Minister of Energy (Mr. Wong) to intervene personally and direct Hydro to maintain its present operations in the community.

The minister's only response has been to advise Hydro management of our concerns and ask management that it take these concerns into account alongside its business considerations. That response is just not good enough. At a public meeting held in Warren last Sunday night, reeves and councillors representing all of the outlying communities indicated their dismay with Hydro's intentions. Each individual indicated the importance of this employment to maintaining the economic wellbeing of the community. All reinforced the idea that the social costs of such a relocation would far outweigh any savings Hydro could hope to make.

The response from the rest of the community was as overwhelming. The prevailing attitude was that the consequences of any relocation of jobs would be devastating for the community and the outlying communities. I again ask the Minister of Energy to intervene and direct Ontario Hydro to maintain intact its present operation in Warren.

### SEXUAL ASSAULT

**Mr. Jackson:** On Thursday morning, I intend to move resolution 37, a motion standing in my name in Orders and Notices. The resolution suggests that a committee of the Legislature examine the problem of sexual assault and report back by the year's end. The proposal would allow for public input and in-depth study of the complex issues surrounding the treatment of

sexual assault victims within our criminal justice system.

Faced with rather inappropriate comments by certain Ontario judges, the Attorney General (Mr. Scott) has already been asked to take action to educate and train members of the bench to show compassion and sensitivity to women who have been sexually assaulted. This issue deserves examination. Compensation for victims also merits study.

In addition, the motion urges constructive discussion on the ways in which all levels of government can work together to provide support services to these victims. I have already documented in this House the severe and damaging consequences of the refusal of the Solicitor General (Mrs. Smith) to fund the staffing needs of rape crisis centres. Members of this party find the resultant cutbacks in service completely unacceptable.

Resolution 37 complements the decision by the minister responsible for women's issues (Mr. Sorbara) to launch an interministerial effort on this front. Committee hearings will round out this government's initiative by allowing the victims of sexual assault to come forward to tell their story. While ministry bureaucrats hammer out the details of a co-ordinated approach to the problem, the committee will allow politicians and the public alike to hear about the human impact of sexual assault as women share the experiences which they have faced at the hands of the police, courts and government.

### VISITOR

**Mr. Matrondola:** It gives me great pleasure to welcome and introduce to the House Marian Wojciechowski, the chief archivist of Poland.

Mr. Wojciechowski, a professor of modern history at the University of Warsaw, has served as undersecretary for the Polish Academy of Science, and in 1980 he became the chief custodian of Polish libraries and archives.

During his two-and-a-half-week visit, he will be meeting with the chief archivist of Ontario, Ian Wilson, and the national archivist of Canada, Jean-Pierre Wallot.

Mr. Wojciechowski is in the members' gallery today with his family. I am sure I speak for all



members of this honourable chamber when I say I hope that Mr. Wojciechowski has a pleasant, educational and rewarding stay in Ontario.

### AIR QUALITY

**Mr. Laughren:** Several times every year when the weather is dry in the Sudbury area and the wind is blowing, Inco tailings are lifted by the wind and blown across the surrounding area. The blowing tailings are so thick that motorists on the Trans-Canada Highway have to turn on their lights in order to make their way in and out of Sudbury.

This Sunday past was a good example of that. I happened to be on Highway 17 west at the time and I too had to turn on my lights in order to make my way home.

The tailings are blown into people's homes, cars, on to the vegetation and into the local creeks and lakes. Inco's response is always one of concern and an offer to pay for any damage caused by the tailings. There is, however, no way to assess the environmental damage or to estimate what tourists think of having to turn on their headlights on what is an otherwise bright and sunny day.

More than 10 years ago, Inco was given permission to expand its tailings area and it agreed to control the problem of blowing tailings, which it has not done. I can assure the House that if the blowing of tailings occurred in southern Ontario as it did in Sudbury this last Sunday, the Minister of the Environment (Mr. Bradley) would be turning cartwheels in order to resolve the problem. It is time the Minister of the Environment stopped giving us bland assurances, stopped being an apologist for Inco and got on with the job of cleaning up those tailings.

### HOSPITAL SERVICES

**Mr. Eves:** Today I am bringing to the attention of the House, and specifically the Minister of Health (Mrs. Caplan), the position of the Ontario Hospital Association regarding the ministry's unwillingness to recognize its responsibility.

As I and the official opposition have been pointing out almost every day for the last four weeks, the Minister of Health has a responsibility to tell the public that some services may have to be cut from hospitals if they are to continue operating within the ministry's unreasonable expectations.

In a statement released on June 3, 1988, the OHA says: "Half of the province's 222 hospitals will be compelled to take serious economy

measures to avoid budget deficits this year. Many of them will have to close beds, curtail certain health services and reduce staffing costs. OHA expects the Ministry of Health to be prepared to accept public responsibility in situations where funding constraints make service cuts unavoidable."

The Minister of Health has refused to listen to the requests for her to accept her responsibility for the mess that hospital services across the province are experiencing. Maybe now she will listen to the OHA, the organization which speaks for hospitals and their administrators.

### TORONTO AREA TRANSPORTATION

**Mr. Faubert:** Leadership is precisely what this government is showing with the earlier announcement by the Minister of Transportation (Mr. Fulton) on Transportation Directions for the Greater Toronto Area.

Every member of this Legislature is aware of the difficult choices and competing demands that face this government in setting its priorities for our transportation future in the Metropolitan Toronto region. For the first time, this government has designed a transportation plan encompassing the overall needs of every region of the greater Metro area.

In formulating this plan, all transportation planning players from this area were consulted, and their input has been incorporated into both the long-term and short-term plans previously announced. For the first time, an all-encompassing comprehensive plan has been created which addresses both roads and public transit, not as separate entities but as they together contribute to both commercial and personal travel needs as a whole.

1340

As a Scarborough representative, I was personally pleased to see that the option for future implementation of the Sheppard subway line has been preserved despite previous news reports and speculation to the contrary. The way is now clear to start all the necessary feasibility planning and engineering studies which are required to take place prior to any construction proceeding.

The dynamic nature of urban growth in the greater Metro area requires strong directions in transportation to ensure the region's continued vitality and economic success. This transportation plan is another example of this government's consultative and comprehensive approach to meeting the needs of this province.



## DAVID LEWIS SCHOOL

**Mr. R. F. Johnston:** Last night at the Board of Education for the City of Scarborough, a motion by trustee Patricia Collie proved successful, much to the surprise of many of us on this side of the House. I am very pleased to tell the House today that a new school in the city of Scarborough will be named in honour of David Lewis, one of the past leaders of the New Democratic Party in Canada.

It is a great example, I think, for a school, in that he came here as an immigrant who spoke no English at all and then went on to succeed so well that he became a Rhodes scholar and one of the most eminent labour lawyers in the country as well as one of the most esteemed leaders of our party.

I thought all members should know that those who thought of Scarborough as a wasteland ideologically can now feel much better. We now have a Woodsworth school, an Agnes Macphail school and a David Lewis school. Things are looking up in Scarborough.

## PENETANGUISHENE MENTAL HEALTH CENTRE

**Mr. McLean:** My statement is directed to the Ministry of Health. Some time ago, the former Minister of Health indicated a new facility at the Oak Ridge Mental Health Centre in Penetanguishene. The new minister, I understand, also supports that project. I am wondering if the minister will soon make the announcement for that new facility to be built.

## STATEMENTS BY THE MINISTRY

**Hon. Mr. Ward:** It is my belief and that of this government—

**Mr. R. F. Johnston:** Mr. Speaker, on a point of order: We do not have copies of the statement for this ministry.

**Mr. Speaker:** Are they forthcoming? The Attorney General.

## TRESPASSING

**Hon. Mr. Scott:** Just more than a year ago, I received the report of a task force which considered Ontario's Trespass to Property Act as it relates to private property generally open to the public, such as malls and fairgrounds. Today I will be introducing a bill that responds to that report and to the comments I have received since the report was delivered.

The task force report was prepared by Raj Anand, who was recently appointed to head the Ontario Human Rights Commission. In his

report, Mr. Anand tackled a very difficult question, namely, how to define the rights of the public with respect to the use of privately owned facilities designed for public use.

He reported to me a concern that our province's Trespass to Property Act had the potential to be used, and—not often but occasionally—was being used as a means of discriminating against young people and those who looked or acted differently. Obviously, no one in this Legislature would condone one of our statutes being used for that purpose, openly or subconsciously.

The amendments we will introduce today will, I believe, correct that situation. However, they will still allow property owners to protect themselves, their customers and tenants against inappropriate behaviour.

The amendments will allow the owner or occupier of a property to draft and post rules of behaviour for the use of the premises. The occupier will only be able to exclude persons from the premises for conduct that is not compatible with the public's use of the premises or for contravening the posted rules. However, the occupier will also be required to explain why someone is asked to leave.

For the first time, the amendments will allow a person charged with trespassing to raise as a defence the question of whether either the posted rules or the property owner's action was reasonable. Factors relevant to that determination include the nature of the premises, the nature of the conduct and the degree of disruption and consequences for other users of the premises.

It will also put an end to the situation where someone can essentially be banned for life from a facility. Instead, the owner of a facility will be able to keep someone out for 30 days and will have to have a sustainable reason to continue the person's exclusion from the facility.

The law will thus be that anyone will be able to use this type of facility as long as he or she does not break posted rules or engage in behaviour which is incompatible with the intended use of the premises.

We believe this bill is balanced. It allows those who own facilities of this type to protect themselves and other users, but it also protects those whose only offence, as it were, is to be young or a member of a visible minority.

## EDUCATION REVIEWS

**Hon. Mr. Ward:** It is my belief and that of this government that we have a responsibility to



Ontario to measure and report upon the quality of our system of education.

Parents have a sincere and constructive concern about the effectiveness of school programs, particularly those that are intended to provide a sound foundation in the basic skills of reading and mathematics.

The provincial review program is a key part of this government's commitment to make our system of education more accountable. On May 11, 1988, my ministry released the results of the first provincial review, a pilot project in Canadian studies geography. This review collected information from students, teachers and other educators on the nature of the instructional program and measured the achievement of students taking the course.

I believe it is time we now began to measure and report upon the skills of our children in the two essential and basic areas of literacy and numeracy. Therefore, I am pleased to announce today that my ministry will conduct, in the 1988-89 school year, provincial reviews in reading and mathematics for grade 6 students.

The provincial review of reading will focus on the range of literacy skills needed by an individual to function effectively. The provincial review of mathematics will assess student knowledge and skills in arithmetic, measurement and geometry.

My ministry will select 100 English-language schools and 100 French-language schools for participation in the provincial reviews and will report publicly in December 1989 on the results of each review in terms of both program effectiveness and student performance.

The provincial reviews are intended to provide to the parents, students and educators of Ontario a clear evaluation of how well our system of education is performing, how effectively it is meeting the demands we place upon it.

Let me be clear that the reviews are not designed as, or intended to become, a mechanism for comparing the performance of student against student, school against school or board against board; nor do they represent a return to province-wide standardized testing as practised until 1967 in Ontario.

Instead, the provincial reviews provide us with an opportunity to assess, in co-operation with our teachers, the effectiveness with which programs are being taught in our classrooms and how well the information is being retained by our students. Through provincial reviews, our teachers may gain a new perspective on which teaching strategies are most effective, and my ministry

will gain useful insight for developing and improving the curriculum we offer for the students of Ontario.

As established in our first provincial review, we are proceeding in this endeavour with the involvement and support of the teaching profession. Our assessment instruments, including the questions and questionnaires for students, are designed with the help of teaching professionals.

I am releasing today to the directors of education at all Ontario school boards an information brochure describing the 1988-89 provincial reviews. Each board will be advised which schools within its jurisdiction have been selected to participate in the reviews. In addition, I am today inviting school boards to participate further by volunteering to carry out full local board reviews. This will enable an individual board to evaluate how the performance of its schools and its students compares with the province-wide levels of achievement.

Our provincial review initiative marks the beginning of a new era of accountability for education in this province. Our provincial reviews will provide us with report cards on our system of education; report cards that I believe should mean as much to all of us as the report cards our children bring home from school.

**1350**

#### HOUSING ON GOVERNMENT LAND

**Hon. Mr. Patten:** As members know, the Minister of Housing (Ms. Hošek) and I have announced a series of sites where provincially owned lands will be made available under the Housing First policy. Our goal, of course, is to create more housing for low- and moderate-income earners.

Housing First is a priority. Our government is committed to working in partnership with municipalities across the province in a dedicated effort to build sound and affordable housing for Ontario. On April 13, I announced the release of five sites in the Metropolitan Toronto area totalling 93.5 acres. On May 30, I announced the release of 97 acres of land in Stoney Creek.

I have talked with Peel Chairman Frank Bean and Mississauga Mayor Hazel McCallion as well as Guelph Mayor John Counsell, and today I am pleased to announce the development of sites in both Mississauga and Guelph. The provincial lands, totalling approximately 66 acres, will be used to produce more affordable housing in these two communities. They include a 19.5-acre site in Mississauga at the northeast corner of Highway 403 and Hurontario Street and a 47.2-acre



site in Guelph at Victoria Road and Eastview Road. We believe that these two sites will permit the development of up to 1,250 housing units, of which 900 will be affordable.

My ministry, in co-operation with the city of Mississauga, has produced a plan which responds to both the housing and commercial needs in the future downtown area of this fast-growing community. The 19.5-acre Mississauga site has the potential of providing 850 apartment units and 35,000 square metres of commercial office space. By combining both residential and commercial office-space uses on this site, we are creating a balanced community in which residents can work and live and one that reflects the mix of activities in Mississauga's developing downtown core. This draft plan has been submitted to the city and to the region for approval, when the final densities will be determined.

The Ministry of Housing has already begun discussions with the Peel Non-Profit Housing Corp. with the intention of providing up to 850 apartment units, 500 of which will be available for its own nonprofit program. My colleague the Minister of Housing is in Mississauga today meeting with local officials and groups, such as the Peel Non-Profit Housing Corp., that are involved with providing assisted housing.

The Guelph site, known as Hadati Farm, is a planned community. It already has 670 homes, including both single-family homes on small lots and higher-density units. The 47.2 acres released today will provide an additional 235 single-family units and 165 nonprofit units of town-housing. All of this is geared to low- and moderate-income earners.

On approval of our draft plan for the development, the land will be sold with multiple-housing blocks reserved for nonprofit housing.

This government intends to proceed with the planning on these two sites so that development can begin as soon as possible. We will work closely with each municipality to develop balanced communities and neighbourhoods that people will be proud to live in for years to come. The Minister of Housing and I intend to make further announcements regarding other sites throughout the province in the coming weeks.

## RESPONSES

### HOUSING ON GOVERNMENT LAND

**Mr. Breagh:** I want to respond briefly to the statement made by the Minister of Government Services (Mr. Patten). It seems to be one of a series of announcements where the Minister of

Government Services stands up and gives us the itinerary for the Minister of Housing (Ms. Hošek). While this is all very interesting, it does not really do very much for anybody.

We are interested as well in all of the good intentions that the ministry has and all of the wonderful potential that is out there. It is such a shame that each day the most concrete thing he has to say is that he is selling off more government land, which in fact could be used to provide affordable housing but it is not going to do that.

We are interested, for example, that in today's quasi announcement there is something like 35,000 square metres of commercial space. That is fine, but that does not do anything for affordable housing either. I think we are ready to join with the councillor at Stoney Creek, Pat Richardson, who said after the great Stoney Creek announcement, "I wish the announcement was for units over and above what is planned, but there is nothing new."

We are interested in this dog-and-pony show, but I really do not believe it warrants or is useful to make announcements of this kind in the Legislature. If they want to travel Ontario, that is fine. If they want to tell us how they are selling off land across Ontario, that is fine. But they should not pretend they are doing anything for affordable housing or providing more affordable housing anywhere in Ontario with this kind of announcement.

### TRESPASSING

**Mr. Hampton:** I want to respond to the statement made by the Attorney General (Mr. Scott) earlier. The Attorney General is indeed correct when he says that how to define the rights of the public with respect to the use of privately owned facilities designed for public use is indeed a serious question, and we welcome the opportunity to examine the government's proposed legislation. Without having seen the proposed legislation, and on the basis of the Attorney General's statement today, several questions are already raised.

First, does this legislation deal with, or is it intended to apply to, labour disputes which may occur in connection with shopping malls? If it does, the proposed 30-day ban is quite simply absurd and unjust, and the Attorney General should know our position on that right off the bat.

Second, when we have words such as "the occupier will only be able to exclude persons from the premises for conduct that is not compatible with the public's use of the premises



or for contravening the posted rules,” and we are going to look at the reasonableness of rules and we are going to look at appropriate use, I suggest to the Attorney General that we have already opened a bag of snakes. The legislation had better be more specific and deal with the tough issues more directly than in just these kinds of general terms.

We are going to look at this legislation very carefully. We say to the Attorney General already that the 30-day ban, as it would apply to a labour dispute, has no place in this kind of legislation.

#### EDUCATION REVIEWS

**Mr. R. F. Johnston:** I rise to respond to the announcement today of the Minister of Education (Mr. Ward) on provincial reviews. I want him to know that after a brief survey of the pages, they have asked me not to say anything publicly about their position.

I did want to say, however, that I am not displeased at all with these kinds of diagnostic tests. I think they are important in terms of getting a sense of how the system is working. I hope these are an indication that the minister is continuing to get advice from his own advisory group to stay away from province-wide testing of students and that he is going to ignore the Premier's Council and its misguided direction in that area and stand up to it with all the strength he can.

I have some concerns about the methodology and would love to hear more from the minister or ministry officials about how it works. There is no indication here as to whether the schools are going to be divided just among the separate schools and the public schools, or whether private schools will be included, nor any idea of why it was that 100 schools from the French-language section, as well as 100 from the English-language section, have been chosen, when of course there is such a major discrepancy in the numbers of those schools out there in the system.

Whether we think we will be getting valid information from that kind of a sampling would be useful to me as a critic to know at some point or other, but in general it is this kind of diagnostic tool which we think is useful and will be useful to educators and will be nonthreatening to students. We hope that the minister continues in this kind of a thrust rather than following the dangerous road of the Premier's Council and others who want to go back to those horrible province-wide

tests that a number of us had to endure in the 1960s.

#### HOUSING ON GOVERNMENT LAND

**Mr. J. M. Johnson:** To the Minister of Government Services (Mr. Patten), his announcement sounds good, but I would just like to ask a question of clarification on affordable housing. Is he talking about affordable rental units or affordable purchase prices for single or detached units? He never does clarify that, so possibly he could do so in the very near future.

I would like to say that if he can work with Peel Chairman Frank Bean, Mayor Hazel McCallion and Guelph Mayor John Counsell, he must be doing something right.

Since the Minister of Agriculture and Food (Mr. Riddell) has decided to move the head office of his ministry to Guelph—which is a very wise decision—it is only appropriate that he should be providing some housing accommodation, especially some low-cost housing for those poor staff members who will be moving to Guelph. If the minister keeps putting housing into Wellington, it is an excellent idea. I assume that is why the member for Guelph (Mr. Ferraro) is not here. He is likely up with his mayor celebrating the arrival of the new homes in Guelph.

1400

#### TRESPASSING

**Mr. Eves:** I would like to respond very briefly to the statement by the Attorney General (Mr. Scott). I think it is a very delicate balance we have to try to achieve here, indeed, of individual rights versus private property rights. We will be working with the Attorney General in a constructive sense to try to make this a very workable piece of legislation.

The Attorney General may want to consider some sort of monitoring period—maybe he has already thought about that—to see whether or not, in effect, it is going to be practical and workable.

#### EDUCATION REVIEWS

**Mr. Jackson:** I am pleased to respond to the announcement of the Minister of Education (Mr. Ward) of provincial reviews. This is definitely good news but it is certainly not new news. It is clear that the minister is now implementing in his second and third years initiatives that were established by the previous government, in terms of developing instruments for measuring student achievement in this province.



But the issues are a lot deeper than just simply monitoring students' performance, because underneath that examination are the kinds of other supports that our public school systems require in this province. Where is the minister's commitment to measuring teacher effectiveness, which is the front line of the delivery of education in this province? Where is the minister's commitment to examining how much we are compressing and complicating the curriculum that we are providing to students? Where is the government's commitment to ensure that our students are using current learning materials, especially when we are monitoring readers and reading effectiveness?

I notice that the ministry even slips in the word "literacy." I was hoping that the Minister of Skills Development (Mr. Curling), at least, some time in his first term, would have something to say about literacy, but if it has to fall back on the Minister of Education, where it rightfully belongs, we are pleased to hear at least a small comment about measuring grade 6 students and their literacy levels and achievements.

We know there are thousands of students in this province using old readers, who are getting their entire programs off mimeographs as opposed to having the proper textbooks and the proper current learning materials. We need that kind of support, coupled with teacher effectiveness and review and assistance. All three elements are what will undoubtedly be used as the measurement as to whether we are providing an effective curriculum in this province.

His indicating, as well, that school boards, on a voluntary basis, can choose to bring in a second school for purposes of comparison sort of betrays the government's commitment to ensure that school boards are encouraged to do more internal reviews and to help identify those areas within a board that require further assistance. Whether it is because of complicated demographics or whether certain groups within the school system require further assistance, those kinds of reviews would be very helpful. But the government would have to fund the findings. Perhaps that is why the minister refuses to deal in a little more forceful manner in terms of measuring student performance.

But it is good news. It is not news. I am sure the school boards will be pleased to give the minister the information, which I am sure he will make public to all and every member of this House as soon as he has it on his desk.

**Mr. Speaker:** That completes ministerial statements and responses.

## ORAL QUESTIONS

### PAYMENTS TO DOCTORS

**Mr. B. Rae:** In view of the absence of the Minister of Health (Mrs. Caplan), perhaps I could address my questions to the Premier, who is here today. The minister has today given a speech which she has released to the public, in which she states: "Health care spending is on a collision course with economic reality."

**Hon. Mr. Peterson:** To be helpful, I have a feeling the minister will be here a little later.

**Mr. B. Rae:** If the Premier is here, I am delighted to ask him. He is the first minister; he is the head of the Premier's Council on Health Strategy; I am assuming he knows something about this subject. He looks tanned and fit and ready to answer a question. I thought if he were here today he would want to answer a question. This shrinking-violet routine is quite unbecoming to the Premier. I am surprised.

If I can come back, I would like ask a question of the Premier. The minister said in her speech—I am quoting from her—"Health care spending is on a collision course with economic reality."

The government has also released figures showing that while transfers to hospitals since 1982-83 have gone up by 66 per cent, and the government has cut that and rationed that service in the most draconian way, we also find that Ontario health insurance plan transfer payments have gone up 118 per cent in the same time, so what physicians are getting has grown very dramatically.

I wonder if the Premier can tell us, is it his view and the view of the government that in fact physicians' incomes are taking too large a part of the health care budget in the province?

**Hon. Mr. Peterson:** Mr. Speaker, as you know, the minister is addressing all aspects of the health care budget: physicians' incomes, hospital budgets, drug use and a variety of other things. It is her intention, this government's intention, to make sure that every single dollar we spend on health care is spent in the most efficient way possible.

**Mr. B. Rae:** I did not hear an answer to my question. The Premier has now been there for three years. He has had a chance to look at the health care system. Since he has become the Premier, OHIP billings have gone up by 50 per cent and hospital transfers have gone up by much less. The government is rationing our hospitals. They are rationing what goes to community services. They are rationing what goes to other parts of the health care system.



The question I have to the Premier is a very simple one; I am surprised I do not have an answer one way or the other. Is it now the view of the government, after being in power for this time, that in fact physicians' incomes, billings from doctors, are taking up too large a share of the health care budget? Yes or no?

**Hon. Mr. Peterson:** I think the honourable member's use of the word "rationing" is unfair and I do not think it characterizes what in fact is going on. As members know, the minister talks about a comprehensive, planned health care system to meet the real needs of Ontario to make sure that we are not wasting money on duplication.

There are discussions ongoing at the present time with the physicians with respect to compensation. My honourable friend, I know, knows the history of the compensation discussions with the physicians, and I think if he looks back to the historic agreement made by a former Minister of Health, he will understand why incomes have run in that direction. That is the essential reason.

**Mr. B. Rae:** If I may say so, Larry Grossman, as Minister of Health, was nothing compared to what the Premier has done since becoming Premier of the province in terms of what has happened to physicians' billings and what has happened to physicians' incomes.

He talks about a system that is going to be planned; he talks about management. He is cutting back in relative terms on what goes to hospitals. Patients are waiting for as long as two years for an operation. At the same time, we see billings by doctors going up some 118 per cent since 1982-83. You find the drug benefit plan costs have gone up 169 per cent. You find the private laboratory spending, which is money going to private-profit entrepreneurs, in many cases doctors who are doubling as entrepreneurs, has gone up twice as much as it has gone up for the hospitals.

I have a very simple question. I think we are entitled to an answer from the Premier. Particularly at this point in time, we are entitled to an answer. Is it the view of the government that when it talks about making tough choices, one of those choices is going to involve a decision as to whether or not doctors are taking too much out of the system? Is it the Premier's view, yes or no, that in fact physicians' incomes are too high in relation to the rest of payments going into the system? Yes or no?

**Hon. Mr. Peterson:** I think my honourable friend is unfair when he characterizes cutbacks as

well. I think that his choice of words is not correct.

The health care budget has been growing substantially in a wide variety of areas. He understands the problems with respect to physicians' incomes and what has transpired over the last several years. He is right, they have gone up quite dramatically, but there has also been a massive increase in the number of physicians—some 1,400, I believe, last year and the year before that as well.

In spite of some of the problems in this province, we have a large number of physicians from across this country, and indeed other countries, who want to practise here; so it is partly a function of the new physicians who have been admitted into practice as well. It is also a function of new diseases, new technology and an ageing population. My honourable friend can see that there are demands on the system that are growing exponentially.

**1410**

It is the intention of the Minister of Health to look at all aspects of the health care system to make sure that it is being efficiently run, that we are getting the maximum mileage for every dollar spent and, at the same time, deliver quality care to every single Ontarian. I think the exercise she is involved in is a constructive one and I think most people in the province of Ontario would agree with the kind of approach she is taking.

**Mr. B. Rae:** She is the one who said that her own strategy was on a collision course with economic reality. Those are not my words, those are her words and the Premier is going to have to live with them.

#### NORTHERN HEALTH SERVICES

**Mr. B. Rae:** The question I have for the Premier, again, by way of supplementary—he, in fact, in his last answer allowed us to move quite naturally into it, to glide quite naturally into it—is this: my colleagues from northern Ontario held several hearings last week in Thunder Bay, in Atikokan, in Emo and in Dryden, dealing with problems of health care in the north.

They heard from over 52 individuals: local doctors, mental health workers, native organizations, ambulance drivers, speech-language pathologists, the whole range of health care practitioners in northwestern Ontario.

The picture that emerges from these presentations is not a well-planned, rational, well-managed system as it relates to the north. It is one of a badly underserved area. It is one of a number of people who are not getting service,



people who are being denied care because of where they live, because they do not live in larger population centres in the south.

In particular, they heard a submission from Dr. Rosehart, who is the president of Lakehead University. Can the Premier can tell us why the government has rejected one of the key proposals in the Rosehart report, rejected one of the key proposals that came back time and time again last week, and that is if he wants to retain health care professionals in the north the best way to do it is to have a medical training facility in the north which will train doctors, which will train nurses and which will train a range of professionals who can provide health care in the north in a way that is attuned to the experience and the life of northerners. Why has he rejected that key proposal from the Rosehart report?

**Hon. Mr. Peterson:** I find it curious that on the first question the honourable member raised he wants to punish the doctors and the second time he says we want to be nice to them and we need more of them. I just thought it was passing curious.

Interjections.

**Mr. Speaker:** Order.

**Hon. Mr. Peterson:** I thought it was noteworthy to observe on the paradox presented by my colleague opposite.

We recognize, as my honourable friend does, that not all areas in the north are as well served as certain areas of the south. Indeed, certain areas of the north are not served as well as other areas of the north, because some of the major centres are doing very well. I was there last week or a week and a half ago and we opened a renal dialysis unit at McKellar General Hospital that serves a very large catchment area. I do not deny for a moment that there are not individual problems with professionals.

My honourable friend refers to a recommendation of the Rosehart report that calls for a medical school in northern Ontario. There are other alternatives we are looking at at the present time. They concern a certain amount of training in northern Ontario, particularly with northern Ontario residents using the facilities we have in conjunction with the existing facilities. There are lots of creative approaches, we think, that can address some of those needs.

**Mr. Pouliot:** A number of doctors appeared in front of our panel. A unique case was that of Dr. Kevin Nugent from the Lakehead Psychiatric Hospital. What makes the case unique is that Dr. Nugent is the only child psychiatrist in north-

western Ontario. He has to cover a population of some 230,000 people spread over several miles. Dr. Nugent says that in accordance with a recommendation from the World Health Organization, northwestern Ontario, with its population base, should at least have six child psychiatrists.

We are often accused by the government of not coming up with positive alternatives. My leader came up with one positive alternative. In order to retain people, the government must build a health facilities curriculum at Lakehead University. A second one is for the Premier to lend his support to facilitate the entrance of foreign-trained doctors to service the children of northwestern Ontario.

**Hon. Mr. Peterson:** I am sorry I am not familiar with the particular presentation shared with the House by the honourable member, but we had a similar situation in Timmins, as I recall, with respect to psychiatric services, not just child psychiatrists but psychiatric service in general. There was only one psychiatrist there for a long period of time, with an enormous workload, and that problem has been addressed in some regard.

I say to my honourable friend I appreciate the information he is bringing forward and I am sure that if the committee makes recommendations to the government or to the House, it will take everything it says seriously. We are looking at new alternatives. We have many physicians who want to come into this country. Sometimes they do not always go where we would like them to go, i.e., northern Ontario, they would rather be in other localities. We are constantly addressing the problem of the underserved areas.

**Mr. Hampton:** I am intrigued by the Premier's answer in terms of looking at alternatives. One of the alternatives we have suggested to the Minister of Health is the alternative that the underserved area program is not working. One of the things that was confirmed last week was that we heard from municipal councils, from individuals and from community groups who said to us, "This program simply doesn't work." In fact, one councillor took us through the hoops the community of Rainy River has gone through for a year in trying to find a doctor. All they have gotten from the underserved area program is advice to the effect of, "Why don't you offer the doctor a free car?" or, "Why don't you offer the doctor a free house?" This to the person who, if he came to the community, would be the most highly paid.

What concrete alternatives does the government have to something like the underserved area program which clearly is not working? All



the communities say that. What alternatives does the government have?

**Hon. Mr. Peterson:** I do not think I accept the premise of my honourable friend that it is not working. I think I can point to a number of areas where it has worked and worked effectively. I cannot maintain that it is perfect in all regards. My honourable friend being from that area, from Fort Frances, knows some of the problems in that area of attracting physicians and keeping them there, but I can, I am sure, bring back to this House many stories of success in that regard. My honourable friend, I am sure, is not arguing for conscription or not arguing for a law forcing people to practise in certain areas, but we are trying to make it attractive to people and I think we have accomplished that in a number of areas.

#### ACCESS TO INFORMATION

**Mr. Brandt:** My question is for the Premier and it is with respect to a series of rather disturbing events which have occurred in the House in connection with our attempts on this side of the House to get information from the government. Recently, the Premier will be aware that my colleague the member for Carleton (Mr. Sterling) made a request for legitimate information from his government and was advised that the cost of that information would be some \$700 under freedom of information and at the same time that there was no guarantee he would get the information he was looking for.

Further to that, there appear to be, as of last Friday, some 161 requests for information by various individuals who have brought these requests for information to the government and been denied. The question I have for the Premier is very simple. Why is it so difficult to get information out of the government? Why is it unwilling to share the information that legitimately should be shared with the opposition, and what is this hesitancy all about?

**Hon. Mr. Peterson:** I think the chairman of Management Board of Cabinet could be helpful to the honourable member.

**Hon. Mr. Elston:** The honourable gentleman has raised an issue which I am trying to get up to speed on. I came in late yesterday just as the honourable gentleman sat down and I have not had a chance to discuss it with him, although I know the context of the discussion.

Our suggestions with respect to freedom of information is that the material is available except under certain circumstances. I would like to take a further look at it.

Interjections.

**Hon. Mr. Elston:** It is the way the act was put together by a Legislature which agreed that there are certain exemptions which should apply. I can tell members that the information is generally available and we try to accommodate in most cases.

1420

The interesting thing is that where concerns are expressed about the nature of charges which are suggested where an inordinate amount of activity is required, the member will have to understand there are two free hours of search time plus other minimum charges that are waived. If there is an expense attached, then we advise. If there is a disagreement with that—the honourable gentleman, I understand, in his statement indicated quite clearly he was going to appeal the decision. He is well within his rights and takes the opportunity to do so appropriately, I think.

From my standpoint, we will continue to look at it. I would like to discuss it a little bit further with the honourable gentleman and see exactly what comes out. Obviously, the role of the commissioner is to deal with those questions where there is a difference of opinion with respect to the applicant and those who are making rulings about the information requested.

**Mr. Brandt:** My supplementary is back to the Premier. Is it required that I go to the Chairman of the Management Board?

**Mr. Speaker:** The usual custom and tradition has been that the supplementary flows from the answer.

**Mr. Brandt:** My original question flowed to the Premier.

**Mr. Speaker:** Therefore, you should ask your supplementary to the Chairman of the Management Board.

**Mr. Brandt:** I will reconstruct my supplementary so that it flows easily now to the Chairman of the Management Board.

I would like to bring to the chairman's attention that on November 16, 1987, the member for Nipissing (Mr. Harris), my colleague, indicated that he wanted to have some information with respect to the Thom report. He was advised at that time by the Minister of Housing (Ms. Hošek) that the report was being translated. We accepted that as being factual, that the report was being translated and that there was some delay.

We talked with government translation this past week. We were advised that the report was



translated and returned in August 1987, fully four months before the minister told this House that the report was in the process of being translated.

We have reviewed some of these outstanding reports and have found about a dozen similar examples to the Thom report, which was no small undertaking, I might add, on the part of the government in that it took some four years and \$3.1 million to complete that report. We think that report would be available to the members of this House.

**Mr. Speaker:** Question.

**Mr. Brandt:** Why is it that the government—this is the question I wanted to ask of the Premier—is only releasing information according to its political agenda? Why is it attempting to manage the news, knowing full well that the Thom report was released on the very same day as the Supreme Court decision on the abortion question?

**Hon. Mr. Elston:** We make available the information that is obviously available for the public in a timely fashion and in most appropriate cases. I can tell the honourable gentleman I do not manage the news and that we cannot manage the news because we have a very open and active group of people who report on the events of this forum. They are a very accomplished group of people.

Along with the freedom of information, the very incisive questioning which goes on day to day, and on the basis of questions the members also deliver, the people of the province are assisted in getting timely information and disclosure of information with respect to whatever it is that takes place in this forum or around the precincts of government throughout the city of Toronto and the province of Ontario.

It is our role in dealing with freedom of information requests to ensure we make information available in a timely fashion. In my capacity of dealing with the implementation of this act, I have promoted the availability of information in all cases. It is understandable, however, that there are certain exemptions provided for in the legislation. We will always take precautions so that there is no undoing of personal information by giving it inappropriately to third parties that are not authorized to receive personal information.

I am prepared to look into the member's question about the report. If he will send me a note, I will get more detail for him if he wishes, but I am not prepared at this point to respond to particular details of that report.

**Mr. Speaker:** Thank you. Supplementary.

**Mr. Brandt:** There is a supplementary, but I have to say to the minister with the greatest of respect that the answer did not in any way explain how the minister stood up in this House one day and indicated a report was being translated, and we find out that four months had already passed since the completion of that translation.

My final supplementary, however, to the minister is with respect to still another report we are awaiting with some degree of patience on this side of the House, and that is the Ontario Securities Commission investigation into PEC Financial Corp. I would remind the minister that in October 1986 the Minister of Financial Institutions told this House that the investigation was continuing. That was back in 1986. That was about two years ago, and we still do not have the results of that investigation.

When the minister indicates his government is prepared to release this information in a timely fashion to the House, how can he answer that way for a report that has some particular interest to the 130 members of this assembly? How can he answer for the fact that we still have not had this investigation completed—

**Mr. Speaker:** Minister.

**Mr. Brandt:** —and brought to the attention of the House?

**Hon. Mr. Elston:** Certainly, I will consult with the Minister of Financial Institutions (Mr. R. F. Nixon) to bring him up to date on the issue the member has raised today about the need for a report to be made on that item. All of us wait, I think, with great expectation a number of reports that come down. Although he condemns us on occasion for having too many reports, I can tell him the important nature of government requires that a very thorough analysis of the material about which we are concerned requires that considerable attention be paid to the construction of the reports.

In particular, may I say that where there are examinations like those of the Ontario Securities Commission, bearing in mind the nature of the detail, the personalities and the corporate structures which may be dealt with, there will be a need for very considerable work done with respect to the report before it is made public. I will certainly advise the honourable minister that the member is interested and will undertake to receive from him for transmission or to have him directly contact the member with information about—

**Mr. Speaker:** Thank you. New question. The member for Nipissing.



**Mr. Harris:** To the Chairman of Management Board: I am now in receipt of his response to our questions in Orders and Notices concerning his government's inability to stick to its budget. The minister responsible for stonewalling tells us that the open government in this instance would be too costly and time-consuming. In short, it would be too much of an inconvenience to the Civil Service Commission. For the benefit of the minister, I note that all we are asking for is a budget-variance analysis, a simple standard accounting procedure, one done by every manager of every company in this province and one I thought the minister would have at his fingertips.

The procedure is described in some detail in the standard textbook on management accounting that is given to every accounting student in the province. It is described in great detail there. I could share it with him if he wants, to help him do his job.

**Mr. Speaker:** The question.

**Mr. Harris:** Is the minister really telling us that his government does not, as a matter of course, follow basic accounting and business procedures in its administration of the public finances?

**Hon. Mr. Elston:** The honourable gentleman is raising a question about a series of items which were placed in Orders and Notices. I can tell him, from our perspective in the days of opposition, when members actually did a lot of work on their own, we were used to looking at the material which was printed in the annual estimates on the budgets and in the auditor's reports and we assembled the material rather than asking for it to be done for us by others.

In this situation, it is a very simple task for the member, I suspect, if he thinks it is simple for us, to go ahead and ask the questions in estimates. I would be very pleased if the member would consult the estimates process and each individual minister at that time could provide him with those year-over-year analyses. In fact, it is not an unusual question to have asked. I have asked those questions myself.

**Mr. Harris:** I do not understand, if it is so simple, why we cannot get the answer. For the sake of the minister, let me read from the standard accounting book on what cost variance means. It says: "In cost accounting, the difference between actual and standard, or the budget, is called a variance. We use the words 'variance' and 'difference' interchangeably. In order to take effective action, we need to know what factors accounted for the difference. In this section, techniques for decomposing a total difference

into the elements that account for it are described."

**1430**

That is standard accounting, standard good management practice. What we are asking him is why, as the Chairman of the Management Board responsible for the effective management of the taxpayers' money, he is loath to share that explanation of the hundreds of millions of dollars in overexpenditures that he has run up over the past three years? If he does not think that in light of the recent government's latest tax grab the taxpayers—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Mr. Elston:** There is no indication whatsoever that people are not willing, as ministers, to provide the member with the answers in the estimates process. We have in fact provided him with a forum in which to ask those questions and in which to get answers. I can tell him that I asked those questions on occasion myself and I can tell him that it was with a real sense of delight that we saw the attempt by the member for Carleton to introduce a particular bill that would have accomplished some of those things when we were in another parliament.

I can tell him that from my point of view all we are saying is that there are other areas in which he, with his very substantial research budgets, can receive that information. In fact, they can ask those questions in estimates and they are going to be then answered by each of the ministers in a forum that is designed to deal with those very specific questions. I think that is an appropriate place to have those questions answered.

**Mr. Harris:** I am surprised to hear the Chairman of the Management Board talk about estimates. This is a government that has totally ignored the committees, a government that has totally ignored standing order 88(d) and it is a government that has abused committee privileges. Now we have committees made up only of Liberals travelling around this province. He talks about the estimates process, so I will talk about it.

**Mr. Speaker:** Supplementary.

**Mr. Harris:** I have gone through the minutes of the House leaders' meetings for the last two years. My party has asked more than 13 times in those House leaders' meetings for time to be spent on estimates. What was the response? Last year the government provided time to deal with three per cent of the total government spending;

that is the amount of time the government House leader provided for the estimates.

**Mr. Speaker:** Do you have a question?

**Mr. Harris:** Obviously, they have totally ignored the estimates process and that has not—

**Mr. Speaker:** The question?

**Mr. Harris:** The nitty-gritty is really this, Mr. Speaker, and I would ask—

Interjections.

**Mr. Speaker:** Order. Does the member have a supplementary?

**Mr. Harris:** I think that is what this period of question period is for, is it not, supplementaries?

**Mr. Speaker:** Order. I am asking the member, do you have a supplementary, and if so, will you place it?

**Mr. Harris:** The answer to your question is yes and thank you very much, Mr. Speaker. I would be pleased to place a supplementary.

The supplementary is simple: the nitty-gritty is that he is either admitting today that he has the answers, that he does analyse the budget, but that he does not want to give us the answers under the questions we have asked, or he wants to cover up the analysis. I ask him, which is it?

**Hon. Mr. Elston:** It is neither of those situations with respect to coverups or the suggestion that our area of expenditure is unreasonable. In fact, there are answers that will be provided with respect to all of those questions in the estimates process.

I can tell the honourable gentleman that with respect to the work on the estimates, the estimates process, he knows that in the last parliament there were a number of exciting events occurring that perhaps prevented him from more thoroughly analysing the estimates, but there is lots of time to deal with the estimates process if he wishes to take the opportunity.

I can tell the honourable gentleman it is very interesting that he forgets that his colleague the former Chairman of the Management Board, the member for Simcoe West (Mr. McCague), replied to us in a manner which was essentially to the same effect, "Ask the question in estimates." It seems to me that, with respect to this question, there is a good forum to put the questions. It seems to be that tradition, with respect to questions like this, as established by his colleagues when they were—

**Mr. Speaker:** Order. I feel it is the duty of the chair to draw the members' attention to the clock. We have had four questions and supplementaries.

## UNIVERSITY FUNDING

**Mr. R. F. Johnston:** My question is for the Premier, in the absence of the Minister of Colleges and Universities (Mrs. McLeod). Yesterday the students of the universities of the province produced a report condemning the present financing system and the Premier downplayed that and up-played his attempts to ameliorate the situation.

I have just handed him a copy of the Council of Ontario Universities' report on the financial position of universities as of this year, in which they specifically contrast how we are doing with the United States. They indicate that we are barely keeping up with inflation, where state appropriations in some American jurisdictions have grown 35 per cent and 40 per cent from a much higher base than we were at in the first place.

I am asking the Premier, when will he recognize that we do have a major crisis here and that it is time for a major investment in our university system if we are going to be able to continue to compete, with or without free trade, with the United States?

**Hon. Mr. Peterson:** I do appreciate the honourable member just sending me a copy of this document, the Financial Position of Ontario Universities. I just cannot accept again the rhetoric my honourable friend employs about it being in crisis. I read the statement, as he does, between 1982-83 and 1986-87, comparing the appropriations to universities both here and in the United States, but if the member looks at 1985-88, over our period of administration, they have gone up by roughly double the rate of inflation, some 25 per cent, 26 per cent and 27 per cent, in that range. I do not deny that some university areas might have gone up 35 per cent to 40 per cent, but that is not an average.

If the member is going to make the point based on the statistical analysis, then he wants to make it quite accurately. We also notice in here that tuition fees are 70 or 80 per cent higher in universities in the United States than they are here in Ontario. I recognize that we have problems. I also recognize that we are making serious progress in that regard.

If the member wants to castigate his friends to the far left there with respect to their record, which I agree with the member was pretty dismal over that 10-year period, compare that to what is happening now and I think we are making forward progress.

**Mr. R. F. Johnston:** I would ask the Premier to read on in the report and he will see that in fact



most of the things he has raised have been dealt with by the Council of Ontario Universities and have been argued against.

I want to raise with the Premier what is happening with our financially strapped universities at this point. Just across the park here we have Victoria College of the University of Toronto, which is deciding and probably very soon will be constructing a luxury hotel on university property in order to raise an income of about \$1 million a year because it feels that is the only way it can continue as an institution.

I ask the Premier, is that what we are being pushed to with our universities? Is this what they should be doing with university lands? Is this the solution to the underfunding that we have had chronically, or is he going to state that in fact it is the government's role to intervene in a much more profound way than it has and that he will not permit that kind of development to take place?

**Hon. Mr. Peterson:** As I said—and I give the member the figures again if he would like to hear them of the things that we have done and the capital allocations, some \$440 million over the next four years; that is something that had never been done before—when you look at the programs in research and development through the centres of excellence, the general operating grants that have improved very substantially, again, you can say that this is not enough, but I say to the member that we are making real progress.

At the same time, let me say that we are encouraging universities to be creative with respect to financing; as much as we disagree with the approach of some of selling off their libraries and leasing them back, which was basically a tax scam as my honourable friend knows. There are other creative ways of involving the private sector in university financing. I do not think there is any reason that the private sector should not be involved in financing our universities more than it does. That is something that happens in the United States and my honourable friend's report substantiates that.

1440

#### LIBERAL TASK FORCE ON COUNTY GOVERNMENT

**Mr. McCague:** I have a question for the Minister of Municipal Affairs. From time to time, all three political parties in this House have established task forces. The minister will recall that we had them on Sunday shopping and on education, and the New Democratic Party had one on insurance. They are always funded

through party resources. How can the minister justify his ministry's resources being used to fund a Liberal task force on county government, including travel, accommodation and staff, all at the taxpayers' expense?

**Hon. Mr. Eakins:** The county government has not been reviewed in this province for some 139 years. Our ministry staff are going out to meet with all of the counties and the municipal people across this province, regardless of whether members go or not. Wherever the members of our ministry are going to meet with the municipal people, we are inviting all members who represent those ridings to be present at those meetings.

**Mr. McCague:** That is an absolutely nonsensical answer. The minister knows he announced in this House that there would be a committee of this House going out to study government. Then he had a discussion in cabinet; he knew he was trapped. Now he is still sending the Liberal members out. He has two or three staff dedicated to that proposal. Why should the taxpayers pay for this Liberal-only task force? His first answer is just a façade. Why does he not answer the question?

**Hon. Mr. Eakins:** Some of the members of all parties of this House have attended the meetings that we have held across the province. We have had excellent reaction from the county people in regard to this task force, and regardless of who attends, our ministry people are going out to meet with the counties. Every member of this House who represents one of those municipalities or counties is invited all the time to attend that task force.

#### RETIREMENT COMMUNITIES

**Mr. Owen:** I have a question for the Minister of Consumer and Commercial Relations. Under the Registry Act there is provision for the registration of leases so that people can see what has been leased and the terms of the lease. But I have received complaints from people living in retirement communities that they cannot register their leases because there is no legal description for the lands. At the same time, these retirement communities have the lands surveyed, they have the roads surveyed. The figures and statistics and information that we require for registration are available if the minister would only consider allowing or insisting that the information be put into registration form and registered.

My question to the minister is, what will the ministry consider doing to protect the people who are leasing these lands and to see that they have



land which is described and can have their leases registered like other people?

**Hon. Mr. Wrye:** I want to say to my friend that I understand such leases are in fact registrable under the Registry Act or the Land Titles Act. There is some technical aspect to this, but basically what is needed is a reference plan, and the reference plan can be gathered through all of the work that has already been done in terms of the development of the site plan.

I say to my friend it would be best if the reference plan were put into place by the developer, rather than having individual reference plans for each part of these retirement communities. I invite my friend to give me the name of any community that he is referring to quite specifically. We would be quite willing to have our officials get in touch with the developer in an effort to see if the developer will co-operate in setting up such a reference plan.

**Mr. Owen:** I am sure there are quite a few people in the province who will be happy to hear the answer to that. The home owners themselves buy the units that they live in on this leased land and they have complained to me that when they buy it there is no registration of their transfer of ownership. They tell me they have no way of determining who owned it, who has mortgaged it, how much was paid by previous owners of the same unit.

My question to the minister is: is there some way in which we can insist that the people who are selling these units will have to register them so that subsequent buyers of the unit can see the history of their unit, how much has been paid for it and what they are buying?

**Hon. Mr. Wrye:** I believe it is only in British Columbia that there has been an effort to register such mobile home units and in a sense try to treat them as real property, which they are not, but treat them in the same way.

Otherwise, in Ontario until now, such units have been treated as being personal property. I suggest to my friend that, certainly, those who are buying these mobile home units have every right to make sure that, before they get an invoice, they search the personal property security registration to ensure that there is no encumbrance against the property and no encumbrance against the unit so that they can get clear title.

I suggest to my friend that where any other method has been tried, such as in British Columbia, I am told they have had a very unhappy result and indeed are thinking of turning it back to the system we now use in Ontario. But

certainly these home owners should, before they complete the sale, make sure they can get clear title to the property.

## RELIGIOUS EDUCATION

**Mr. Allen:** I have a question to the Minister of Education. The minister will know that today the Ontario Public School Trustees' Association has released a major study and also a very progressive policy with respect to religious education for Ontario's public schools.

According to this survey, two thirds of the public elementary schools in fact do not offer the mandated religious education courses simply because there are no ministry guidelines or even no direction for them as to what is appropriate for Ontario's schoolchildren today. It is obvious that the lack of attention to the subject is one good reason why the secondary school offering of world religions has almost no takeup across the schools system in Ontario outside the Catholic school system.

In fact, there is a growing consensus on this subject, which this document manifests.

**Mr. Speaker:** The question would be?

**Mr. Allen:** Will the minister assure us, recognizing the long inattention which has been given to this subject, that he will now move quickly, as all due care and prudence dictates, to develop draft curriculum guidelines, pilot projects and teacher training arrangements in order to put in place an up-to-date new program of religious education in Ontario as quickly as he can?

**Hon. Mr. Ward:** I am happy to indicate to my colleague the member for Hamilton West that indeed the ministry is prepared to move with all due care and prudence, as suggested in his question.

I would also remind him that in response to a question by the member for Etobicoke West (Mrs. LeBourdais) some two or three weeks ago, I indicated at that time that the Ministry of Education is working very closely with the Ministry of Citizenship as we explore ways by which we can develop a representative group to assist us in looking at these very contentious issues.

It is my hope that we can come up with a policy which really does reflect the diversity of this province and from there proceed with either revisions to the current regulations or possibly further into the development of appropriate guidelines.

**Mr. Allen:** I notice the minister referred to "prudence," but he did not refer to "quickly." I



know that on this issue the ministry he now heads has a kind of glacial approach to prudence which I think he might try to overcome a little bit in this particular case.

I want to emphasize for the minister that what is proposed in this document by the school trustees is virtually identical to the resolution I put before the House two weeks ago, which this House overwhelmingly endorsed. Just so that everybody in the public and in the House is clear as to where this document is going and where the minister is going, may I read just a portion of the initial statement?

"In recognition of the pluralistic nature of Ontario's society, the Ontario Public School Trustees' Association recommends that any form of religious education in public schools in Ontario be multifaith and multicultural in approach. Religious indoctrination has no place in the public school system."

I want the minister to tell us clearly, as I thought he began to do in his earlier answer, whether, as he goes about his task, he will be focusing his energies entirely on a multifaith, nonindoctrinating approach to religious instruction in the schools, so that we may put in the past the kinds of problems of recent notoriety that afflicted Elgin county?

1450

**Hon. Mr. Ward:** I can assure the member that is one approach we will be giving careful consideration to. I also want to assure him that it was only through oversight I made no reference to the "quickly." In fact, I believe we have meetings scheduled tomorrow between the two ministries, and we cannot do it any faster than that.

#### AUTOMOBILE INSURANCE

**Mr. Runciman:** In the absence of the Minister of Financial Institutions (Mr. R. F. Nixon), I have a question that has significant implications for consumers. I will direct it to the Minister of Consumer and Commercial Relations. The minister may recall during the debate on Bill 2, the government's massive intervention into private sector auto insurance—

I do not know whether the minister can hear me, Mr. Speaker.

**Mr. Speaker:** I am having difficulty.

**Mr. Runciman:** I am trying to recall for the minister the debate during Bill 2, the government's massive intervention into private sector auto insurance, when our party pointed out the concern that consumers were going to be faced with a very serious reduction in the number of

options afforded them in terms of the number of companies out there providing automobile insurance and that individuals, consumers, were going to be forced into the Facility Association at much higher premiums. Is the minister aware of what is occurring in that area now and that those predictions that were made by my party are indeed coming true?

**Hon. Mr. Wrye:** No, I am not aware of individual circumstances that the honourable member suggests are now occurring.

**Mr. Runciman:** That is not surprising. When I talk to the Minister of Financial Institutions he is not aware of what is happening in his portfolio, and this minister is not aware of significant happenings in terms of their impact on consumers in this province.

What they are doing with respect to automobile insurance is going to have the same impact as rent review in this province on the availability of affordable housing.

For the minister's information, Commercial Union Assurance has cancelled 129 brokers in the province. Home Insurance has cancelled 100 brokers. Safeco has cancelled 37 brokers. That is all in the first quarter of this year, with many more to follow. Obviously, as early as this fall, the potential exists for a significant problem, perhaps even a crisis, in terms of the availability of automobile insurance options for consumers in this province.

**Mr. Speaker:** Does the member have a question?

**Mr. Runciman:** Is the minister prepared to make himself familiar with this situation and take whatever action is necessary to remedy it?

**Hon. Mr. Wrye:** I think that is a question better put to the Minister of Financial Institutions, who would have responsibility in this area. I know my friend the member for Leeds-Grenville understands that the minister is not here today, but I will certainly be pleased to pass on the member's question to the Minister of Financial Institutions and he will look into the matter and he and I can share some discussions as to whether there is any impact in the allegations and the suggestions my honourable friend makes.

#### ACID RAIN

**Mr. Black:** Mr. Speaker, you will be pleased to know my question is for the Minister of the Environment. I hope there will be time for him to give an adequate answer.

It is generally accepted that lakes and streams in areas regularly receiving precipitation with pH levels of less than 4.7 suffer damage. When precipitation with pH readings of less than 4.0 occur, the damage to the environment, to the drinking water, to buildings and to people's health is considered serious.

During the 23-day period between February 14 and March 26, 1988, the Ministry of the Environment acid rain centre in Dorset reported precipitation with a pH of less than 4.7 on 15 of those days. On four other days the pH level was below 4.0.

Are there any steps that he as the Minister of the Environment can take to speed up the initiatives that have been agreed upon in eastern Canada to combat the impact of acid rain?

**Hon. Mr. Bradley:** The member who represents an area, probably the area that is most impacted in this province by the problem of acid rain, asks a very good question. I am pleased to say that where perhaps last year at this time there was some question as to whether we would have all provinces on side in this regard, it is my understanding that all provinces are now on side and are prepared to move forward with the same kind of program, or at least a program similar to Ontario's, to reduce acid rain emissions.

**Mr. Villeneuve:** What are you doing?

**Hon. Mr. Bradley:** I will take some time to answer the member who interjects as well, to say that, as he would know, Senator Mitchell said we had done more in one day in our Countdown Acid Rain program than the United States administration had done in five years.

Interjections.

**Hon. Mr. Bradley:** Our program was first on the books of any of the provinces in Canada, and the most drastic reductions will be taking place in Ontario.

**Mr. Black:** I note that the members of the third party are very interested in questions dealing with the environment, and with their record in this particular area, I can understand why.

**Mr. Speaker:** And I am very interested in hearing the supplementary.

**Mr. Black:** Today the Toronto press reported a joint proposal by the governors of New York and Ohio to reduce sulphur dioxide and nitrogen oxide emissions by 43 per cent by the year 2003. Could the minister comment on the significance of that proposal for residents of Ontario?

**Hon. Mr. Bradley:** I am trying to hear the question.

Interjections.

**Mr. Speaker:** Order. Could you repeat it?

**Mr. Black:** Today the Toronto press reported a joint proposal by the governors of New York and Ohio to reduce sulphur dioxide and nitrogen oxide emissions by 43 per cent by the year 2003. Could the minister comment on the significance of that proposal for residents of Ontario?

**Hon. Mr. Bradley:** The news which has been emanating from south of the border for some time does not give rise to very much optimism, but we finally have some kind of movement on the part of two governors of two of the most significant states in terms of size, Governor Cuomo and Governor Celeste. I think it is the kind of movement in the United States that can be built upon to bring about a program which has significant reductions.

There has been somewhat of a logjam both in the House and in the Senate of the United States. The administration has been less than enthusiastic to pursue this issue in the United States, so this particular initiative, which calls for some significant cuts over a period of time, is at least a step in the right direction.

It does not call for an overall cap, which means it does not project well into the future, and they are not the kind of upfront reductions we would like to see here in Ontario, to compare it to the Canadian program, but when two of these governors get together and have support from many of the other governors in the United States for such initiatives, it seems to me we have an opportunity to move forward. Those of us in Canada will be very pleased to work with all of those in the United States.

#### PLANT CLOSURE

**Mr. Breaugh:** In the absence of the Premier, I will ask the Minister of Labour. Concerning the announced closure yesterday of Lantic Sugar in Oshawa, this would appear to be the first plant shutdown due to Mulroney's trade initiative in Ontario. It involves 120 workers.

I wonder if the minister would agree with the assessment by the president of the company that essentially it is having some difficulty adjusting for a market share; that the American industry has been able to penetrate the Canadian market almost at will; and that the Canadian raw sugar industry has had difficulty penetrating the American market.

Would the minister agree with the assessment that this is the first major plant shutdown in Canada because of Mulroney's trade initiatives?



1500

**Hon. Mr. Sorbara:** I am very sensitive of course to the concerns that the member for Oshawa—it is just Oshawa?—has.

**Mr. Jackson:** Just Oshawa? That is like saying “just York.”

**Hon. Mr. Sorbara:** I would not say “just Oshawa.” It is a very important community. There are a lot of very good things that go on there.

One of the regrettable things is the announced closure of Lantic Sugar. There are some 120 employees who are going to be affected by that layoff. Obviously, one has to be very concerned for the community of Oshawa when a layoff of that size is announced. I am given to understand that programs for employment adjustment and some professional assistance to help the employees locate elsewhere are going to be put in place by the management of the company.

I really cannot answer the question as to whether this is the first example of a plant shutdown that arises as a result of the Mulroney-Reagan trade agreement. I simply tell my friend the member for Oshawa that this company is not leaving Canada. In fact, the Oshawa facility is, as I understand it, the smallest of three facilities they have in Canada. They are going to be maintaining their facilities both in Saint John and in Montreal, both facilities which are much larger than the one in Oshawa.

Certainly, I agree with my friend from Oshawa that we have to be very concerned about the effect on our manufacturing capacity in this province and right around the country as a result of that trade agreement, but I would not want to give the final, definitive word on this issue.

**Mr. Breagh:** The president of the company, in announcing the closure yesterday, simply pointed out that under the existing situation American refineries find it advantageous to ship refined sugar into the Canadian market and to claim a duty drawback under the United States re-export programs. It seems fairly clear to him at least that the share of the market is diminishing through market problems. They are having difficulty competing now under the existing situation with refineries in the United States and that problem will become even worse under the Mulroney trade initiative.

However much the company may try to soften the blow and relocate, how does the minister explain to the 120 families who will now be without an income this government's reluctance to do anything of a positive, direct nature to stop this trade initiative? How is the minister going to

explain to those families and to the families of the longshoremen who will be unemployed as well because they unloaded the raw sugar? How does he rationalize to them the lack of initiative on his government's part to really stop this trade deal?

**Hon. Mr. Sorbara:** The member for Oshawa does point out some of the reasons given by the president of the company in announcing the closure. To summarize that reason, it was an increase in United States exports. There were, of course, other reasons mentioned in that statement, including competition from Ontario manufacturers of high-fructose corn syrup and increasing consumer preference for non-nutritive sweeteners. There is a variety of factors that resulted in the closure of that facility.

He asks me what I say to those 120 families. Obviously, my heart goes out to those employees and their families. Within our own ministry, we will be providing whatever adjustment assistance is appropriate under the circumstances. The fact is, though, that this company will be continuing its presence in Canada. It will be continuing with its operations both in Saint John and in Montreal.

Once again, I say to the member I am not sure the closing of this facility in Oshawa directly relates to the so-called free trade environment that is being proposed—regrettably, we believe—by the Prime Minister of Canada and the President of the United States.

#### LABOUR DISPUTE

**Mr. McLean:** My question is for the Minister of Community and Social Services. It is my understanding that the ministry is prepared to provide the funds needed for a 24.5 per cent wage over 30 months at the Dawn Patrol Group Homes in Hamilton, an 18 per cent increase over two years at Kinark Child and Family Services in Barrie and Midland, and a 30 per cent wage hike over three years at the Sacred Heart Child and Family Centre in Scarborough.

Is the minister prepared to provide the necessary funds so that the board of directors at Catulpa-Tamarac Child and Family Centre can meet the commitment of a 24 per cent wage hike successfully negotiated last year with the 55 employees? Is the minister now willing to provide that funding?

**Hon. Mr. Sweeney:** In all of these situations, the local autonomous board is given funds from our ministry and, in some cases, from other sources. It is their decision as to how they are going to allocate those funds. Some put more into programs, some put more into wages and some put more into buildings. That is their decision.

We have a minimum program content that we insist upon as the ministry, but beyond that, the decision is a local decision.

### ACCESS TO INFORMATION

**Mr. Harris:** On a point of privilege, Mr. Speaker: I have two documents I would like to quote from very briefly.

This is from Hansard, November 16, 1987, when the Minister of Housing (Ms. Hošek) said, "The Thom commission report is actually in the process of being translated, and when it is, it will be released."

I have a document from translation services in response to our inquiry about the translation of the Commission of Inquiry into Residential Tenancies, the Thom commission. The answer is: "Text received for translation on May 6, 1987, approximately 175,000 words. It was requested July 31, 1987. It was renegotiated to August 21, 1987, and it was returned to the minister on August 14, 1987."

**Mr. B. Rae:** One week after the election was called. Right in the election campaign.

**Mr. Harris:** That was right at the start of the election campaign, approximately four months before the answer to my question indicated that it was in translation.

I would ask that the House refer this question to the standing committee on the Legislative Assembly to determine whether the minister intentionally or whether the minister inadvertently lied to the House.

Interjections.

**Mr. Speaker:** Order. I listened very carefully and I appreciate the member planned his words very carefully and came very close to using unparliamentary language. I really think it is unreasonable for many members to plan their words. I would ask that all members be much more careful in their—

**An hon. member:** What about ministers—

**Mr. Speaker:** Order. All members, I said.

Interjections.

**Mr. Speaker:** It is not the Speaker's duty to judge the validity of the words used. I cannot make a judgement on whether any member has stated the facts correctly. I know all members are aware of that.

**Mr. D. S. Cooke:** Mr. Speaker, I would like to refer to the same point of order. I think it is a reasonable request in the case of the information that has been provided by the Conservative caucus and the statements that have been made on the record by the Minister of Housing.

Clearly, something is very wrong when the minister can make a statement, and then there is clear evidence that the statement was presented in error in the Legislature because the minister did not know what was going on in her ministry, or the information was presented incorrectly on purpose, or the report was hidden from the public during an election campaign.

If the members of this Legislature are to operate in this place on a fair basis, if we are to be able to trust one another in this place, I think this matter must be referred out to committee and cleared up. I hope the Speaker will agree with both opposition parties, in light of the statement the minister has made and the evidence the Conservative caucus has, that this whole matter should be referred to the standing committee on the Legislative Assembly, unless the minister has a very reasonable and understandable explanation that can be presented in the Legislature now.

1510

**Hon. Ms. Hošek:** My understanding is that the document was translated. Then it went out for proofreading, which took a long time because it is a long document, and when it came back—this whole process was finished at the end of December—then it was printed and was ready to be released in January.

Interjections.

**Mr. Speaker:** Order. I have listened to the three members on the point of privilege raised by the member for Nipissing (Mr. Harris). I think I should take it under consideration and report back.

That completes oral questions.

**Mr. Sterling:** Mr. Speaker, on another point of privilege: Yesterday I raised a matter with regard to the Minister of Education (Mr. Ward) asking me to pay some amount of money in order to receive information from him. I brought that to your attention yesterday.

Later in the afternoon, at approximately 4:10, I received by courier a letter from the minister which had taken another six days to get from the Mowat Block over to my office here at Queen's Park, and which said the ministry wanted to charge me \$696 as an estimate. I found out this morning that the actual charge could be much greater than that if, in fact, they went through certain documents and certain things happened. I am required at their request to deposit with them \$348, half of the estimated amount, if I want to receive that information.

I have one of two choices, either to pay that \$348 to the minister or to appeal it to the



commissioner. I was wondering whether or not you are ready to rule on this particular matter as I would like to get my request under way.

**Mr. Speaker:** I would be very happy to respond to the honourable member. As a matter of fact, I was prepared to respond at 1:30 of the clock.

Yesterday, in the House, the honourable member for Carleton (Mr. Sterling) raised what he referred to as a point of privilege regarding his dealings with the Ministry of Education under the Freedom of Information and Protection of Privacy Act. The member at that time alleged that he was being prevented from accomplishing his work as a member of the provincial parliament because he was being charged for information that he had requested from the ministry.

I undertook to study the complaint raised by the member because the nature of the complaint is new to this chamber, and I thought it would be wise not to come to any hasty decision in this matter.

After reflection, it appears that this matter is not a valid question of privilege, but rather a grievance that the member is raising. The new freedom-of-information act was passed by this Legislature and does not create any special privileges for the members of this House. Members are subject to the administrative workings of the act in the same way that the general public is. If members feel that they are being unfairly treated by the provisions of the freedom-of-information act, then they have other means at their disposition in order to try to amend the provisions of that act.

Furthermore, members do have privileges regarding the provision of information that is not provided the ordinary citizen by use of Orders and Notices questions.

I thank the honourable member for bringing this matter to my attention and to the attention of the House, but after due consideration I cannot find any grounds *prima facie* for a case of privilege. I would, however, encourage the member to use the procedural methods at his disposal as a member of this House in order to pursue his search for the information he requires.

**Mr. Breagh:** Mr. Speaker, I do not wish to challenge your words on the matter, but I would like to put a couple of other things on the record for your consideration, specifically because I sat through the committee hearings on this particular bill.

It was made abundantly clear to all members on the committee that there was nothing in this act which would infringe upon the traditional

rights of members of the assembly to ask questions and to seek information.

As a matter of fact, during the deliberations, an attempt was made to put forward an amendment, I believe by the member for Carleton, to be very specific about the rights of members of the assembly. It was said at the time that was not necessary, that this bill would not infringe in any way, shape or form on the traditional rights of members of the assembly to seek information.

Mr. Speaker, I would refer you to section 52 of the Legislative Assembly Act where the traditional right of members of the assembly to gather information is assured. In particular, I would refer you to subsection 63(2) of Bill 34, the Freedom of Information and Protection of Privacy Act.

Those assurances were given at some length during the course of the deliberations on the matter, because the point was clearly raised on more than one occasion as to what would be the impact of this legislation on our traditional right to seek information from the government. It was made clear to us that no amendment was necessary, that there would be no impact on that.

It seems to me, Mr. Speaker, that it would be wise for you to take the matter under further consideration, perhaps to even go so far as to deliberate upon the Hansards and the discussions during the course of committee, because it was made clear to me that there would be no infringement on the traditional right of members to seek information.

Certainly, it was made abundantly clear to me that there would be no such thing as charging members for information that had previously been made readily available, or if not readily available, reluctantly available, by the government to opposition members.

I do think there is an important point of principle that has to be determined here, and I would ask you, sir, to take those two matters under consideration and perhaps give us some more consideration on the matter.

**Mr. Harris:** I support the comments that have been put forward by the member for Oshawa (Mr. Breagh). The system is not working. There clearly is a problem with the privileges of members in being able to obtain information. I really think the suggestion put forward by the member for Oshawa is a good one.

**Mr. Speaker:** I thank the members for their suggestions.

**Mr. Sterling:** Mr. Speaker, are you not going to respond to the member for Oshawa or the

member for Nipissing in terms of their suggestions?

**Mr. Breagh:** He has the matter under consideration. I can see it in the twinkle in his eye.

**Mr. Speaker:** I thank the member for the information and I will certainly consider it further.

**Hon. Mr. Conway:** I seek unanimous consent to revert to statements. The Minister of Health (Mrs. Caplan) has a statement she would like to make. Obviously, if the consent is given, it would provide for opposition response.

**Mr. Speaker:** Is there unanimous consent and, if so, how much time for responses? I would like to know.

**Hon. Mr. Conway:** I suggest that certainly the opposition should be allowed up to five minutes to respond.

Agreed to.

## STATEMENT BY THE MINISTRY

### DIALYSIS SERVICES

**Hon. Mrs. Caplan:** Haemodialysis or renal dialysis is a treatment which first became available 26 years ago. It cleanses the blood of patients whose diseased kidneys are unable to filter out impurities. These patients generally require three-hour treatment sessions two or three times a week.

There is a growing demand for dialysis services because our population is ageing and the rapid advances in medical technology are detecting more and more cases of kidney disease annually.

Today, we are responding to this need for more dialysis services for the residents of Ontario. I am pleased to announce the approval of \$6 million to provide for the expansion of home and hospital haemodialysis services in Metropolitan Toronto, the Ottawa region and the Algoma district.

I am announcing the approval of:

\$1,225,000 to Toronto General Hospital for six haemodialysis machines and three replacement home haemodialysis machines;

\$1,059,000 to Toronto Western Hospital for six haemodialysis machines;

\$1,036,000 to St. Michael's Hospital in Toronto for nine haemodialysis machines;

\$984,000 in annual operating funds to expand the haemodialysis program at Plummer Memorial Public Hospital in Sault Ste. Marie;

\$570,000 to Ottawa Civic Hospital to expand dialysis services in the short term for Ottawa residents, and

\$1,121,000 to Ottawa General Hospital to expand its regional home haemodialysis services.

### 1520

I am also pleased to announce today that my ministry has granted approval to the Ottawa Civic Hospital to begin planning its major expansion and redevelopment of its regional haemodialysis program. This project is expected to be completed within three to five years.

While today's announcement will go a long way in helping to meet the needs of people with kidney disease, we acknowledge the fact that we cannot stop here, and we do not intend to. My ministry is continuing to monitor the need for dialysis services in Ontario communities and it is in the process of studying our population's long-range needs in this area. I have asked every district health council in Ontario to determine the local dialysis needs for its communities and have requested them to report back to me as soon as possible.

## RESPONSES

### DIALYSIS SERVICES

**Mr. Reville:** Clearly, the official opposition welcomes the approval of \$6 million to provide for the expansion of home and hospital haemodialysis service. We have a few problems with the distribution of the provision of these moneys. Clearly, the bulk of the money is going to downtown Toronto teaching hospitals.

The oft-repeated statements of my beloved, but not forgotten, colleague the member for Scarborough-Ellesmere come to mind. I am talking about my colleague from the 33rd Parliament who stood in his place over and over again and talked about the need for dialysis services in Scarborough, which I do not see included in the list—

**Mr. Wildman:** If he were still here it would have gone there. It would have gone to Scarborough if he were still here.

**Mr. Reville:** —although perhaps people from Scarborough will travel to Ottawa to do this and, as my colleague the member for Algoma (Mr. Wildman) points out, the current member for Scarborough-Ellesmere (Mr. Faubert) has not been mentioning the renal dialysis problem in that area.

I think I should point out, too, that the \$6 million provided for one part of the health care system is considerably more than is spent on all the community health centres in Ontario in a year. Clearly, we should not be facing an



either/or situation; we should be facing a both/and situation. This is another example of increasing the technological side of health care without increasing the health prevention and promotion side. I am sure the minister will want to rise, as soon as she can come back to the House, and correct that imbalance.

**Mr. Eves:** It is a pleasure for me to respond to the statement of the Minister of Health. I acknowledge that this is indeed a good start in the area of kidney dialysis, one that is a little bit overdue but much needed, and I am glad to see that she has taken this initial step.

I would also hope that the minister would take similar steps in upcoming days with respect to cardiovascular surgery and the problems we have across the province with respect to that, orthopaedic surgery, perinatal care and obstetricians. It is somewhat of a contradiction, I would say, that we are asking hospitals at this time to eliminate deficits, to cut services as a result of eliminating their deficits, yet here we are handing out a bit of a crumb, I suppose, with respect to kidney dialysis.

The minister will be very well aware of the statement of the Ontario Hospital Association on June 3, which she was not here for earlier this afternoon when I quoted it, so I will repeat it: "Half of the province's 222 hospitals will be compelled to take serious economy measures to avoid budget deficits this year. Many of them will have to close beds, curtail certain health services and reduce staffing costs. OHA expects the Ministry of Health to be prepared to accept public responsibility in situations where funding constraints make service cuts unavoidable."

So far, the Minister of Health has refused to listen to our requests for her to accept her responsibility for the mess that hospital services across the province are experiencing. That is the reality that the hospitals have to deal with out there right now: they have to cut services.

By the minister's own admission, 50 per cent of the hospitals that have filed their budgets have filed them with deficits, despite her urging—in fact, direct orders—to the contrary. It is quite obvious to their boards of directors and their administrators that they cannot provide the essential health services that they require for their particular areas without projecting a deficit, and it is quite obvious that the minister is going to have to do something about the base funding for those hospitals.

While this is a step in the right direction with respect to kidney dialysis only—

**Hon. Mr. Conway:** "A crumb."

**Mr. Eves:** —there are many other problems out there in the health care system that are going to have to be dealt with, and dealt with immediately, by the minister and her ministry.

To answer the government House leader, \$6 million in a budget of \$13 billion, if the minister would like to figure out what percentage of that budget it is, would be minuscule, far less than one per cent. I am sure that even the House leader, with his limited mathematical knowledge, could figure that out.

**Mr. Pollock:** I welcome this news on dialysis machines, but on the other hand, there was a survey which I have mentioned about extended care beds that was taken in the Quinte area. Bancroft hospital was supposed to get 11 of those beds, and I understand that the minister has completely ignored that recommendation. Now she comes up with this idea that she has asked district health councils to recommend whether they need dialysis machines. If she totally ignored that other report as far as extended care beds are concerned, what is to say we are going to actually get these particular dialysis machines if the district health councils actually request them? That is a major concern.

I talked to the former Minister of Health and lobbied for a dialysis machine in one of the Peterborough hospitals, and I spoke in this House on one particular occasion before. It is certainly needed in that eastern Ontario area. I certainly hope the minister takes into consideration placing a dialysis machine in one of those Peterborough hospitals. I do not think we need to lobby the district health councils; I think the minister has the authority to do that.

**Mr. Harris:** While the minister is on dialysis, I wonder if she can look into and explain why a constituent of mine, a senior citizen, who once a year visits Vancouver—and up until this year, the Ontario health insurance plan has covered his dialysis in Vancouver—this year was told by OHIP, "We no longer pay for that." He was told that he cannot get dialysis anywhere in British Columbia. He was told that he may be able to arrange to get it in the United States, across the border. As a result, he cancelled his annual trip to visit his daughter in Vancouver. I wonder if the minister could look into why these services are not being provided for our residents here in Ontario.

**Mr. Speaker:** The member's time has expired. He might want to try that tomorrow during question period.

## PETITIONS

### RETAIL STORE HOURS

**Mr. Brandt:** I have a petition for the Lieutenant Governor in Council signed by 67 persons from Windermere United Church in Toronto, which reads in part as follows:

"We wish to express our objection to any expansion of Sunday shopping within our community and our province."

I have others, if members will just stay put for a moment.

I have a petition for the Lieutenant Governor in Council signed by 69 persons from the village of Milverton:

"We, the undersigned, oppose further expansion of Sunday shopping and ask our municipal council in Milverton to protect Sunday as the traditional day for rest, worship and family activity."

A further petition signed by 85 persons from the United Church of Canada in Brigden:

"We, the undersigned, oppose further expansion of Sunday shopping and ask you, our elected officials, to protect Sunday as the traditional day for rest, worship and family activity."

A further petition signed by 104 persons from the United Church Women of Middlesex Presbyterial in London:

"The United Church Women of Middlesex Presbyterial of the United Church of Canada urge the government of Ontario to strengthen and enforce legislation which restricts additional store openings on Sunday in order to maintain the traditional day of rest which Ontario residents presently enjoy."

1530

Further, 79 persons petition from Millgrove Pastoral Charge in Millgrove, Ontario:

"We oppose open Sunday shopping in Ontario and we oppose transferring authority to legislate on Sunday shopping entirely to municipalities."

From 39 persons from St. Paul's United Church in Hamilton, Ontario, a petition reads, in part, as follows:

"We wish to oppose open Sunday shopping and keep it in the hands of the provincial Legislature."

Also, from 20 persons from Moorefield-Rothsay Pastoral Charge of Canada in Moorefield, Ontario:

"Be it resolved by the undersigned of the Moorefield-Rothsay Pastoral Charge of Canada that we oppose transferring authority to legislate on Sunday shopping entirely to municipalities

and we are opposed to open Sunday shopping in Ontario."

A further petition, signed by 72 persons from Applewood United Church of the city of Mississauga, reads, in part, as follows:

"The undersigned are opposed to transferring authority to legislate on Sunday shopping entirely to municipalities and opposed to open Sunday shopping in Ontario."

Thank you for your patience, Mr. Speaker. That concludes my reading of the petitions.

### HALFWAY HOUSES

**Mr. Fleet:** I have a petition I received from the Junction-High Park Residents Association, signed by 250 residents of the riding of High Park-Swansea.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To eliminate the existing local option which permits all municipalities in Ontario to reject the establishment of halfway houses for parolees. This would prevent certain cities, notably Toronto, from carrying most of the burden and the risks of these operations."

I have signed this petition myself, in accordance with the provisions of the standing orders.

### TAX INCREASES

**Mr. Wiseman:** I have 2,000 petitions, signed by irate taxpayers in Ontario. They read as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."

I have signed that myself as well, and we will have a couple of thousand more tomorrow.

### RETAIL STORE HOURS

**Mr. Black:** I have a petition signed by more than 100 citizens from the community of Peterborough.

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, appreciate the fact that the government of Ontario will be holding public hearings regarding the issue of Sunday shopping. We request that these hearings be held in centres throughout the province, including the fair town of Peterborough."

I will add my name to this.

### ONTARIO HYDRO ADMINISTRATIVE CENTRE

**Miss Martel:** I have a petition addressed to the Lieutenant Governor and the Legislative Assembly of Ontario which reads as follows:



"Whereas Ontario Hydro is presently undergoing a study to review the organizational structure of the Warren area facility, resulting in the possible relocation of the customer service and administrative department to North Bay; and

"Whereas our rural northern municipalities are small and closely knit, with no industry, limited resources and scarce job opportunities for our young people; and

"Whereas the loss of permanent and part-time job positions will adversely affect our community business, financial and social structure; and

"Whereas Hydro customer satisfaction in our area would be greatly reduced;

"Therefore, be it resolved that we hereby request the provincial government and Ontario Hydro to do everything possible to ensure that Ontario Hydro in Warren remains status quo."

That is signed by 468 residents of the village of Warren and outlying communities which will be affected by the possible relocation. I have signed it and I agree with them.

#### PENSIONS DE RETRAITE

**M. Cleary:** J'ai une pétition signée par 24 personnes, à l'honorable lieutenant-gouverneur et à l'Assemblée législative de la province de l'Ontario, portant sur le calcul des pensions des enseignants retraités avant le 31 mai 1982.

#### INTRODUCTION OF BILLS

##### TRESPASS TO PROPERTY AMENDMENT ACT

Hon. Mr. Scott moved first reading of Bill 149, An Act to amend the Trespass to Property Act.

Motion agreed to.

#### CITY OF TORONTO ACT

Mr. Kanter moved first reading of Bill Pr15, An Act respecting the City of Toronto.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

#### CITY OF TORONTO ACT

Mr. Kanter moved first reading of Bill Pr17, An Act respecting the City of Toronto.

**Mr. Speaker:** Is it the pleasure of the House that the motion carry?

All those in favour will say "aye."

All those opposed will say "nay."

In my opinion the ayes have it.

Motion agreed to.

#### ORDERS OF THE DAY

##### RETAIL BUSINESS HOLIDAYS AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**Mr. Speaker:** The member for Simcoe East may have some further comments.

**Mr. McLean:** Thank you, Mr. Speaker.

This government is no doubt aware of the widespread outrage over Sunday shopping legislation. That outrage is coming from all corners of the province and from retailers, labour, church groups and especially from municipalities, which do not want to be stuck with deciding the issue.

A recent questionnaire I sent out to my constituents in the riding of Simcoe East reflects that widespread opposition to Sunday shopping in Ontario. I received more than 800 responses to my survey, and when asked, "Are you in favour of Sunday shopping?" a whopping 83 per cent of those respondents answered no.

My questionnaire went on to note that currently in Ontario Sunday shopping is permitted only in certain designated tourist areas or in small stores employing less than four people. When asked if they thought the current system is too wide-open or not open enough or about right, 68 per cent of the respondents answered that it is about right.

My next question noted that those opposed to Sunday shopping say it will lead to added pressure on families, particularly single-parent families. A staggering 74 per cent of the respondents agreed that open Sunday shopping will lead to added pressure on families.

I then noted that those in favour of wide-open Sunday shopping say that, in addition to being more convenient, it will create more business and employment, and 74 per cent disagreed that it will increase business or employment.

I also put forward the question, "If you are not already required to work on Sunday, would you be willing to do so?" It is really not surprising to me that 75 per cent answered no.

Many of my colleagues in the third party sent out a similar questionnaire concerning Sunday shopping, and I know the reaction was just as

negative as the response I received, and in some cases even more so.

**1540**

This sensitive issue has been debated now for approximately two years. During that time the government chose not to consult with the working people of this province during its deliberations. In this instance I am referring to the people who are going to have to give up their family time on Sunday in order to work. I am also referring to those people who will be forced to give up the Sunday they would normally use to worship in the church of their choice and to the people who would normally use Sunday just to rest up for the coming week because they have to go to work on what has become a traditional day of rest for most of us in Ontario.

It is certainly incredible to me that the government has acted in such an irresponsible manner as to push this issue off on the municipalities without any consultation or thought as to the chaos this would create. When I consider the extra costs associated with Sunday shopping, its impact on families and the traditional day of rest and the lack of any gain to be had from the increase of shopping hours, I have to ask the question, why on earth is this government proceeding with this bizarre legislation? I know that, because of this government's arrogance and uncaring attitude, I can never expect a logical answer.

I want to refer to the statement that the Premier (Mr. Peterson) made in the paper yesterday. He says, "The bill will allow municipalities to decide whether to let stores open Sundays, their hours of operation and what types of stores could open." Could you imagine a municipality passing a bylaw whereby they wanted to indicate what types of stores would open, what types of businesses would be open? It would be total chaos.

Earlier this year, the Orillia Packet and Times daily newspaper conducted a survey of its readers. This poll showed that by a margin of 17 to 1, residents of the city of Orillia and the surrounding municipalities want to protect Sunday as a day of rest. This poll asked specifically whether people were in favour or opposed to full Sunday shopping year-round. The number of those in favour of Sunday shopping was 94 while the number of those opposed to Sunday shopping was 1,560.

The Orillia Packet and Times publisher, Jack Marshall, said:

"This was far from a scientific survey and anyone can find flaws in how it was taken.

Certainly it can be argued that people who oppose Sunday shopping, who see it as a threat to their own way of life, are prepared to go to more trouble to cast their ballots than others who seek only the convenience of being able to shop Sunday. What cannot be denied is the overwhelming opposition to Sunday shopping in this poll."

I want to read a letter that was in this morning's Toronto Sun. It is a very interesting letter, it is very short and reads as follows:

"I am a 13-year-old Roman Catholic girl who is against Sunday shopping. Because my parents are self-employed in a business, I know that if Sunday shopping becomes legal they would be forced to open to keep up with their competition. This would mean that we would never again have a day to rest with the whole family. For years people have not worked on Sundays to be with their families and to rest. I can't understand why suddenly all the big fuss has occurred over Sunday shopping."

**Mr. Black:** Because the Tories won't tell the truth, that's why. Why don't you tell the real story about Sunday shopping?

**Mr. McLean:** "Sunday has been a day of rest for all races, religions and creeds. It is simply a day put aside for our own benefits. If retail stores have to open, then I feel it is only fair for all banks and government offices to open too."

**Mr. Black:** You should be ashamed of yourself.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. McLean:** "Let their children find out what it is like not to have their parents home on Sundays. What next? Schools open on Sunday?"

It is interesting to note that 13-year-old, writing it the way she did, really says it all. I am surprised the member for Muskoka-Georgian Bay (Mr. Black) would not agree with a 13-year-old in that type of a statement. He wants everybody working on Sunday. I do not agree with that.

At least 70,000 petitions against Sunday shopping have poured into offices of the Progressive Conservative members since March and there have been at least another 30,000 sent to Liberal and New Democratic Party members. But despite the opposition that all of the polls, all of the letters and all of the petitions have indicated against wide-open Sunday shopping, the government is determined and entrenched in its decision to inflict this injustice on the people and municipalities of Ontario. What a sad state of affairs we now have in this province.



There are a number of reasons why I oppose Sunday shopping and I would like to spend some time outlining those reasons. I might add that not only are these the reasons why I am opposed, but they are also reasons put to me by retailers, labour, church groups and municipalities in the riding of Simcoe East.

Sunday shopping will impair, if not destroy, the quality of life for many families in this province. Many parents will need to work and many parents will be required to work on Sunday if this legislation becomes law. It will be especially difficult for single-parent families, and it should be noted that more than half of those single parents are women who work in the retail sector. These single parents will lose their only day to be with their children and, for many, they will have to find scarce day care services and then have to pay for them. Not only is this a difficult situation for parents, but also it will lead to an increased number of so-called latchkey children.

This frightens me because it will further weaken the quality of family life and result in potentially dangerous situations for children who cannot be watched by their parents throughout the day because they have to work. The social fabric of healthy communities depends on more than just buying and selling commodities. People are more than simply economic entities and their needs are complex.

By introducing Sunday shopping legislation, this government is ignoring this fact and is also ignoring the fact that increased economic activity will create havoc and chaos and will do more harm than good. It is beyond all reason that this government thinks it can assume that family values, personal friendships and our quality of life have a price. If wide-open Sunday shopping becomes a fact, then I say the price is too high.

The people of Ontario will also say the price is too high and they will shop around for another government. It is completely unfair and unreasonable for the government to assume that a worker's refusal of overtime pay to be with a spouse or children represents an unreasonable attitude towards the work ethic. This legislation denies workable protection for retail employees who want and need to spend some quality time with their families, especially on Sundays, especially the most vulnerable, single-parent mothers and fathers. It wipes out freedom of choice for all retail workers in Ontario.

The rights of workers have always been looked after at the provincial government level to ensure uniformity and to ensure that workers throughout this province can share and have equal access to

the same rights. However, it now appears this government has determined that regulations concerning Sunday shopping will be a municipal responsibility and we can expect to see it pass off other labour legislation such as the minimum wage, pay equality and worker's compensation to local governments if this is indeed fact.

Also, the 675-member Association of Municipalities of Ontario is strongly opposed to the local option. It has passed a resolution against the local option on the ground that it does not make sense not to have a provincial standard on the common pause day, with appropriate exemptions.

It is interesting that all these municipal politicians are saying this and the people in this government are saying another thing. The government is using the excuse that only in a perfect world could everyone agree to a common pause day. There is no reason to extend the misery of a few, those who already must work Sundays in the service sector, to everyone.

#### 1550

The phrase "local option" is a fallacy because the Retail Business Holidays Amendment Act, Bill 113, will defeat any attempt by a municipality—I will repeat that—will defeat every attempt by any municipality to stay closed on Sundays. If there were truly an option, communities would have the power to resist the pressure to change.

A local option implies the ability to opt in or opt out, to choose between a law as written in Bill 113 or a municipality writing an entire new law for itself. Bill 113 does not provide this choice. Instead, it allows municipalities to constantly amend various aspects of a law, resulting in constant redefinition of an exemption today and a new exclusion tomorrow.

A simple motion in council could create an open designation based on location, size, number of persons employed or any other criterion. A subsequent simple motion in council could alter an existing bylaw by extending the open designation to one more store, to one more street, to a new development or to an entire town. It could change whether retail employees can celebrate any recognized holiday and could create open areas for certain times of the year and closed ones for others.

**Mr. Faubert:** Are you telling us you can't trust the municipalities?

**Mr. McLean:** I cannot trust the member's government and none of the other people in the province can.

It could change hours of Sunday or holiday shopping in all or part of the open areas. It could



change the square footage requirements, rendering useless the prohibition against roping off, and alter special exemptions for types of retail businesses granted in the bill. These are currently convenience stores, pharmacies, commercial art galleries, bookstores, videotape rental stores, gas stations, nurseries and fresh produce vendors. These are just some of the many things that are exempt from closing on Sundays.

As a result of these increased municipal responsibilities, the bureaucracy will increase and entail numerous hours spent in review of applications for changes in open designations which will change the value of properties. The legislation will likely trigger contention as small municipalities adjacent to larger ones, in need of an increased tax base, attract mall owners and retailers by giving wider and wider open designations. Regional governments may fight back by granting the same open privileges.

Wide-open Sunday shopping will lead to prices increasing anywhere from 5 per cent to 15 per cent. This is because costs for labour, depreciation on the equipment, large electrical bills and doing business in general will increase. Additional Sunday service will cost money because of the transit system. We have all kinds of day care services that will have to be provided.

When you talk about this bill, you really talk about the whole province of Ontario. The public will have no voice because these proposed amendments do not contain any provisions for the public consultation, and local councils can eliminate basic protection by the simple passing of a resolution.

Bill 113 provides no mechanism to allow for local debate. A councillor can introduce without warning a motion to pass a bylaw to create or amend an open designation, and the community will not have an opportunity to examine the proposed bylaw or to debate it.

About one third of Ontario's workforce will have to work on Sundays. I want to repeat that. About one third of Ontario's workforce will have to work on Sundays. Are the members of this Legislature prepared to work on Sundays? We had a motion to see if they would sit on Sundays and there certainly was not much of an indication that they wanted to. I know the Speaker would not want to sit on Sundays.

Shopping may be less convenient because merchants may decide to close earlier on weekdays so they can afford to open on Sundays, as is the case in Alberta. As a result, people have no choice but to shop on weekends. The proposed amendments provide no protection for

shopping mall retailers who refuse to open on Sundays. Leases may not be renewed for retailers who are already working 12 hours a day, six days a week, without opening on Sundays.

There will be no additional job growth since most major retailers will adjust their staffing by reducing full-time retail sales positions in favour of more part-time people to cover the additional hours. Most employees who work in small retail outlets have established a close relationship with their employees because the business itself requires frequent personal contact in an environment that is harmonious and void of hostility.

I happen to be one of those people who did have to work on Sundays for many years and I had to get up at 4:30 in the morning too. Anyone who knows what it is like to work on Sundays, and who has the opportunity not to have to, has got to feel what we are fighting for is the family, family life and tradition here in Ontario.

The original Retail Business Holidays Act was supported by all three parties and passed by the Ontario Legislature in 1975.

**Mr. Neumann:** What about all the families on family farms? They work on Sundays.

**Mr. McLean:** I have to be complimentary to the member who interjected with regard to farmers working seven days a week, because I happen to be one of those farmers who had to work seven days a week. Today, they are feeding more people than ever before. You can buy more food than ever before for the same wage; 17 per cent of your salary today goes for food when 15 years ago it was 34 per cent. So the farmers are still the best in the country, and I will tell you, you never want to say anything about a farmer when you have got your mouth full.

To continue, the original act provided for a common pause day with exemptions including a Saturday option or another day off. The Progressive Conservative Party commissioned a task force to study Sunday shopping in 1986 because of widespread and outright abuse of the act. That task force determined that a majority of Ontarians are opposed to Sunday shopping but are in favour of some progressive changes. This government has decided to turn its back on the task force findings and has opted instead to dump this issue right into the laps of all the local politicians. This government has no right to be in anyone's lap, especially the collective lap of our local politicians.

I would favour some change to the existing law, such as permitting shopping on some Sundays prior to Christmas and a better definition of tourist areas, but I will never support



wide-open Sunday shopping in the province of Ontario. I am not looking out for my own interests when I oppose Sunday shopping. I am just reflecting the opinions of my constituents and a majority of Ontario residents when I say no to wide-open Sunday shopping.

I indicated to the House at the start of my remarks the response to the questionnaire that I had sent out. How many other people sent out a questionnaire to find out what their constituents are saying? Do they not listen to them? How can they support this bill when the people in their ridings are telling them they do not want it?

I want to say that this government is selling out on this issue and should take its shopping bag and place it over its head and think this whole matter over. I am telling them, it would be good.

**Mr. Pollock:** And leave it there.

**Mr. McLean:** And leave it there. That is right. My colleague says they maybe should leave it there.

When we are talking about local option, it is not great to say to the municipality, "If you want to have certain stores open, you can do that", when another municipality may want to have its stores closed. I have to refer to places like Tiny township which is right close to Midland. If the town of Midland passed a bylaw to have its stores open and the township of Tiny passed a bylaw to have all the stores closed in Tiny and on the highway strip with all the malls on it, how long do members think it would be before Tiny would have to pass a bylaw to allow those malls to open?

They say they have the local option and the municipalities can do what they like. Well, I have to tell members that if they have been in business, they will be well aware that when one area opens, the other areas have to open in competition. I go back to the city of Orillia. If it wants to pass a bylaw to have the stores open, then the malls in the township will have to do it.

I tell government members, if they think that one can be open and one can be closed, I do not know where they have been. They have probably been up there in the Muskokas with the caterpillars, taking the leaves off all the trees, and the acid rain that they have up there—

**Mr. Black:** You should be ashamed of yourself.

1600

Interjections.

**Mr. McLean:** The member for Muskoka-Georgian Bay (Mr. Black) is well aware of the problems they have up there. We never had

problems with acid rain here until the government changed. It has just changed all of a sudden. I cannot believe it.

**Mr. Pollock:** It's the gypsy moths and the caterpillars that are cleaning off the trees.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. McLean:** I have to help the member out.

**Mr. Pollock:** The member for Muskoka-Georgian Bay isn't doing anything about it.

**Mr. McLean:** That is right.

When we talk about Sunday shopping, this Bill 113, and Bill 114 which is the accompanying legislation, I want to say that the government will certainly get some surprises when it starts travelling the province and dealing with the people across this province with regard to Sunday shopping.

They do not want it. They have said that in the task force report our party did a couple of years ago. They have said it in the report done last year when the Solicitor General (Mrs. Smith) was on that task force. She said it was the chicken way out. Well, what is the chicken way out? I do not know. I have to say the chicken way out is the way this government is handling this bill. It knows it will not work and we know it will not work and the people of the province know it will not work, from the questionnaires we are getting back.

I have to say this Sunday shopping bill is going to be one of the most controversial issues over the next two years. It will be a long time before it is finally passed into legislation because it will be something like the bill that was discussed just last week with regard to the municipal elections. I have never before seen a government bring in a piece of legislation and two weeks later bring in 30 amendments to that piece of legislation.

They say: "Well, you know, we're open. We want to have a broad mind. We want to be able to talk about these things." I ask members, what is going to happen when the government has the 30 amendments in? How many more amendments does it need to amend the piece of legislation it has? I say shame on the government for that type of legislation. How many amendments are there going to be to this Bill 113 that we are looking at? I can see all kinds of areas to be redefined.

It says, "The total area used for serving the public or for selling or displaying to the public in the establishment is less than 5,000 square feet." How many times is that figure going to change before this bill becomes law?

You can look all through this bill. I have to tell the House that the people of this province will say

no to Sunday shopping. I am saying no to it because my constituents are saying no, and I listen to my constituents. I hope I am one of those here who brings my constituents' thoughts to this Legislature, not like some of the Liberal back-benchers who are here saying, "We support this," and the people in their ridings are saying no. I say shame on them.

**The Acting Speaker:** Are there any comments or questions?

**Mr. Black:** I must confess I am puzzled. There are some people who would suggest that the member for Simcoe East is deliberately misleading the people of this province. I am not one of those and I want to dissociate myself from those words. I would not suggest that for one minute. But I am looking for some other explanation of why he could possibly be saying the things he is saying. It may well be he has not read the legislation. I could believe that and I could accept that.

It may be his leader has told him to take a certain position and to distort or twist the words so that they will have another meaning. I would not suggest that, but that could be a possible explanation. It may well be he does not understand the legislation that is being introduced. That is a distinct possibility.

All of us in this House know some facts. The first fact we know is this: under the present legislation, municipalities can, if they want, declare certain segments of their municipalities open to Sunday shopping. They can do that under the tourist exemption. They have been able to do that since 1976 and the member for Simcoe East is well aware of that fact. We also know that Ontario society has not crumbled as a result of that. Ontario has continued to be a society which respects the day of rest and respects people's right to that.

The other point I want to make in rebuttal to the member for Simcoe East is a very simple statement, and it is this: there is in fact a provincial position and it is that stores will be closed on Sunday unless municipal governments decide otherwise.

Finally, I point out to the member for Simcoe East that we, as a government, believe very strongly that municipal politicians in this day and age have a perfect ability and right to make that decision if they so choose. It may well be that in earlier years municipal politicians were not able to make those kinds of decisions, but since the member for Simcoe East has left municipal politics, the quality of decision-making has gone up considerably.

**The Acting Speaker:** The member's time has expired.

**Mr. J. M. Johnson:** I would like to refer to the comments made by the member a few minutes ago and his great support for local autonomy. Local autonomy works both ways. The government will not give local municipalities the power to control their land use, planning and many aspects that they want, but it saddles them with this. If it believes in local autonomy, and the municipalities tell it quite clearly they do not want to handle this issue, then it should respect that local autonomy and take it and look after it itself, but it does not have the political courage to deal with it.

They say they want the municipalities to have local autonomy to solve the issue. They know it is a copout because they cannot deal with it. They do not know how to handle it, so they throw it at the municipalities. We are going to have 700 municipalities making decisions that will be completely different, every one.

The Association of Municipalities of Ontario told them quite clearly. In fact, there was a unanimous vote; there were only three that voted in favour of their proposal. Why does the government not respect local autonomy and listen to what they are telling it?

**Mr. D. W. Smith:** I just want to make one short comment. I always listen carefully to the member for Simcoe East, but I cannot understand how he could have got on to acid rain when he was talking about retail store hours. I want to know how many communities in his riding are open on Sunday now. It is just that I usually follow this member very closely, but today it was hard to keep up with him. If he could comment on the communities that are open now within his area, I would appreciate that answer.

**Mrs. Marland:** I listened very carefully to my colleague the member for Simcoe East. I think he addressed this issue very professionally and very thoughtfully. I would rather wish that some of the interjections by the back-benchers of the Liberal government might be from the same kind of base. I respect the fact that with 94 seats, it is very hard to get an opportunity to speak and perhaps the only opportunity you get is through interjections, but I would suggest, particularly to the member for Scarborough-Ellesmere (Mr. Faubert) who kept saying at least three times, "Do you not have any respect for municipalities?"—that is a really significant comment.

**The Acting Speaker:** Order. As you are aware, this is a time for comments with respect to the words that were put forward so eloquently by



your member for Simcoe East. I would ask all members to—

**Mrs. Marland:** Well, Madam Speaker, I will comment on the words of my colleague.

The issue is whether or not we are listening to the municipalities. I would suggest that a resolution passed by the Association of Municipalities of Ontario very strongly in favour of this jurisdiction of retail shopping hours staying with the province is very clearly a statement made by the Association of Municipalities of Ontario.

The member for Scarborough-Ellesmere suggested that we are not listening to our municipal councils. In fact, this member for Simcoe East and the other members of the Progressive Conservative caucus are listening to the municipalities of Ontario who are saying that it should be provincial jurisdiction.

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**Mr. Neumann:** I would like to commend the member for his comments about farmers and their hard-working record in the province and, indeed, across the country. Having been raised on a farm myself, I know that farmers very often work seven days a week and, in that milieu, respected family values very highly.

I would like to know whether the honourable member realizes that the existing legislation permits municipalities to open on Sundays under the tourism exemption and whether he also realizes that the proposed bill maintains a strong provincial presence in this regard and sets the framework for provincial law.

**Mr. McLean:** To the last speaker, with regard to the provincial aspect of the bill, sure, we know what is there. We also know that the municipalities are going to have the option. How many stores are open in my area on Sundays, the member asks. I have to tell him that last year they had a bylaw passed to allow all the stores to open from 12 noon to five o'clock. This year they are not passing the bylaw because it was not needed, because people did not want to go shopping on Sunday, so this year they are not passing any bylaw. So there you are.

The member for Muskoka-Georgian Bay (Mr. Black) indicates he wants to talk about the local politicians having the say. I have to say that if he wants local politicians to have their say, he is not listening to them. They are telling the government now that they are not interested in this piece of legislation. If the government says it wants to listen to them, why does it not listen to them? They are all saying that.

Interjection.

**Mr. McLean:** The member says I probably did not read the legislation. I think I have read it just about as thoroughly as anyone could, because of the interest I have in it, and the comments I am getting back from the municipalities and from the people within my riding and across the province. I have to say to members that this legislation is a disaster and it will prove to be such. The local politicians are telling the government they do not want that option. Why does it not listen to them for a change? What kind of dictatorship is this? We have a government that is dictating to over 800 municipalities in this province. They are all telling the government they do not want it and it is saying, "You're going to get it." Shame on you.

**Mr. Kanter:** I would like to rise in support of Bill 113, An Act to amend the Retail Business Holidays Act. In my capacity as parliamentary assistant to the Solicitor General (Mrs. Smith), I have been privileged to speak to a few residents in Toronto, Etobicoke, London and Grimsby about this subject. I have been a guest on radio shows in St. Catharines and Toronto and I have learned—and this will not come as a surprise to members with longer experience on this issue—that there is a wide diversity of opinion on the subject of Sunday regulation.

I have heard views ranging from those who want wide-open Sunday shopping to those who want virtually all commercial activity, including shopping, banned on Sunday. There is a great difference of opinion among people in various communities on this issue.

Our bill responds. It responds to those who want to restrict Sunday openings; it also permits flexibility in communities where most people favour some extension of Sunday shopping.

This government recognizes there is a divergence of views on this subject. It is time for the law to reflect that divergence. We do not believe that all communities can be thrust into a one-size-fits-all type of law. Those who do believe in uniform Sunday shopping legislation are fixated with the illusion of a homogeneous Ontario, which does not exist today, if it ever did.

Our bill is consistent with a national trend towards allowing local municipalities some say in the regulation of Sunday openings. British Columbia, Alberta, Newfoundland, Nova Scotia and New Brunswick all have a form of local option of Sunday regulation. Just this past week, as was noted earlier in question period, the government of Saskatchewan announced it will



introduce legislation along the same lines as this bill.

The Ontario government has listened to the very disparate views of its citizens on this subject and has developed a balanced, principled response to the problems caused by the current law. First, we will retain a province-wide law requiring most stores in the province to close Sundays and holidays. Second, the new bill will be fairer and more enforceable than the current Retail Business Holidays Act. Third, there will be protection for retailers and retail workers, including those who must work on Sunday right now. Finally, regional municipalities will have the right to regulate Sunday openings, much as they already do under the tourism exemption, but they will be able to do so in a more honest and straightforward manner.

The most important section in our bill is subsection 2(1), which states:

“(1) No person carrying on a retail business in a retail business establishment shall,

“(a) sell or offer for sale any goods or services therein by retail; or

“(b) admit members of the public thereto, on a holiday.”

“Holiday” includes Sunday. This provision will sound familiar to those who know the current act because our current law has the very same clause requiring most stores to close on Sunday. Those stores which are now closed on Sunday in this province will continue to be closed after this bill is passed, unless a municipal council takes action to the contrary.

I think there has been some misunderstanding on this point. If I can point to some of the evidence of this misunderstanding, I will point to the petition introduced earlier today by the leader of the third party. The petition read that the undersigned “oppose transferring authority to legislate on Sunday shopping entirely to municipalities” and they are opposed to open Sunday shopping in Ontario.

I think the subsection of the bill which I have just read indicates very clearly that we are not transferring authority entirely to municipalities. Indeed, we are keeping the provincial framework. We are keeping the status quo. Not only are we not advocating open Sunday shopping, we are stepping up enforcement provisions. We are stepping up penalties. We are providing for an injunction to close down stores which now open illegally. A number of other enforcement provisions were pointed out by the Solicitor General in her opening remarks on this subject yesterday.

I believe we have a certain obligation as politicians, whatever our party, whatever our views on the subject, to enlighten our constituents as to what the legislation actually says. I do not think we should be misleading. I do not think we should be allowing our constituents to have an incorrect view of the legislation. I think we have a positive obligation to point out what the legislation actually says.

The new law will, frankly, not be a dramatic change from the current law but it will be fairer and more enforceable. I think that is important, because even a cursory glance at a weekend newspaper or a stroll down a main street or a shopping mall on a Sunday will show that that is not the case with the current legislation.

Under the current law, large stores can rope off, close part of their floor space and operate within an exemption for small convenience stores. One store in Toronto is a very large store during most of the week. On Sundays it has an artificial barrier through it and two doors and pretends to operate as two small stores. Other large stores might put a drug counter in one corner and claim they are pharmacies. They advertise that they are more than a drug store and they sell the same goods on Sunday that one normally buys at a grocery or a department store.

These practices are unfair to other law-abiding stores which are limited to opening Monday to Saturday. That is one of the reasons we are changing the act. Roping off will be banned. Department stores will no longer be able to masquerade as pharmacies.

I think fairness is another important component of this bill. There is an increasing number of Ontario residents—yes, a minority but an increasing number—who celebrate a Sabbath on a day other than Sunday. Retailers who are of the Jewish, Seventh-Day Adventist, Hindu or Muslim religions are currently at a disadvantage. They are unfairly penalized. Only if they close their stores on Saturday are they able to open on Sunday and even then they are subject to restrictions of space and staff. Under the new law, those merchants who observe a Sabbath other than Sunday will be free to open on Sunday without restriction.

The idea of a uniform day of rest was perhaps more plausible when Ontario was more overwhelmingly of one particular religious view. However, I believe the diversity of an increasingly multicultural Ontario requires us to move away from a single day for religious observance in order to respect the freedom of all Ontario residents. The need for flexibility and fairness in



our Sunday regulation is one of the reasons Ontario should have this bill.

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There have been a number of comments about the need to protect workers under our bill. I would point out, and I believe the member from Simcoe East (Mr. McLean) referred to this in his comments, that a good number of workers, somewhat over a third of workers in Ontario, work right now on Sundays. About 31 per cent of retail workers may have to work some Sundays right now.

The Minister of Labour (Mr. Sorbara) has already introduced legislation, which I understand he will be speaking to later this week, which will give all retail workers the right to refuse what they believe to be unreasonable assignments of Sunday work. These provisions will give both employers and employees an incentive to negotiate voluntary Sunday work. For those retailers who act unreasonably, the legislation will provide protection for their employees. No worker will have to work Sunday unless and until a referee decides that the Sunday assignment was not unreasonable.

I would like to devote the remainder of my comments to the flexibility which municipalities will have under this legislation, because I think there has been a lot of confusion and uncertainty about the idea of a municipal option.

It is important to note that about 25 communities in Ontario with a population over five million people now have Sunday shopping under the tourist exemption of the current Retail Business Holidays Act. These exemptions are found in every part of Ontario. It is wrong to state that this bill creates a local option for municipalities on Sunday openings; municipalities already have a local option.

Many members of this House are familiar with these openings. I have not heard anything to indicate that the leader of the third party, the member for Sarnia (Mr. Brandt), believes that Point Edward should give up its tourist exemption, or that the Leader of the Opposition (Mr. B. Rae) or any members of the opposition party are lobbying for Chinatown to be closed on Sunday, or that the member from Windsor-Riverside (Mr. D. S. Cooke)—I think he is here now—is going to advocate that we close downtown Windsor, or the member for Leeds-Grenville (Mr. Runciman) is demanding that Gananoque shut its stores on Sundays.

I think all members feel that the existing exemptions in their own constituencies were decisions of their local government, convenient

to tourists and local residents and important to the local economy. Some of us may even shop once in a while in the tourist areas within our municipalities whether or not we are in fact tourists.

It seems to me that trying to tie Sunday shopping solely to tourism has led to some rather unusual results. In some cases, tourist exemptions almost seem to have been manufactured because of the need to accommodate local wishes. The Solicitor General yesterday referred to some of these odd results: the idea of a single fruit stand in Scarborough being declared a tourist area or a single furniture store in Scarborough being declared a tourist area.

On the other hand, obvious tourist attractions have been excluded from exemptions. Many areas are open for reasons other than tourism, but for valid reasons none the less.

Let us look at some of these exemptions. Let us look at the exemption for Chinatown in Toronto. Is that exemption really for tourism or is it because there is a substantial community in the Toronto area which has a cultural preference for shopping on Sunday?

Let us look at another example from another municipality. In the community of Thunder Bay, for example, stores are open one Sunday before Christmas to allow the handicapped to shop. It is a rather unusual situation. It is one that seems to be appreciated by the handicapped. It seems to work well in that community.

Let us look at a third example of a community that is now open on Sunday, and I refer to the small community of St. George. With all due deference to my colleague the Treasurer (Mr. R. F. Nixon), I think it is a little difficult to argue that St. George is among the top tourist attractions within this province. I was actually born in and lived in Brantford, Ontario, fairly close to St. George. I have visited it a number of times. It would be my observation that the population there is perhaps not as culturally diverse as Toronto, there is probably a higher percentage of people who attend church in that community than in Toronto, and yet that community has chosen to be open on Sunday. That is their local preference.

We have a number of communities right now that are open, where stores are open in the community, based on a number of criteria. It might be serving an ethnic community, it might be helping the handicapped, it might just be local convenience. It seems to me that those reasons are just as valid as promoting tourism. I have not heard any member of the House argue that

helping the handicapped or reflecting our multicultural nature is not a good reason for Sunday opening.

It seems to me that what we have to do is end a charade and to openly allow municipalities to do what they have been doing for the past 10 or 15 years anyhow; that is, allow municipalities to decide on the degree of Sunday and holiday shopping to be permitted in their jurisdictions. Communities should be able to permit openings if they wish, for whatever purpose they wish, including, but not limited to, the promotion of tourism.

I believe that local municipalities are good judges of such local needs and preferences. They already regulate retail openings Monday through Saturday. It would be more honest for municipalities to have the power to allow stores to open on Sunday and to be accountable to their citizens for that decision rather than to pretend that all Sunday openings must be tourist exemptions. I think the law must change to reflect the reality of the local option today in Ontario rather than to pretend that tourism is the only valid reason for Sunday openings.

It seems to me the issue facing this Legislature is not whether we should have a local option on Sunday openings; we already have one. The issue is whether we can have a better local option, a more honest local option, a local option which can be flexible enough to accommodate tourist areas, genuine bona fide tourist areas like Niagara-on-the-Lake, multicultural communities like Toronto's Chinatown, progressive cities like Thunder Bay which want to help the handicapped, while still allowing those communities that wish to remain closed—and I believe they will remain in the majority—to stay within a provincial framework of Sunday closings.

Ontario has a long history of using local option to resolve problems for which there is no province-wide consensus. Whether the issue has been liquor licensing, Sunday sports or Sunday movies, local option has been a policy which has allowed each community to decide what is right for that community. Local option does not force a community to change its way of life; rather it allows a community to change only if it wishes to do so and only, with the flexibility of this act, in the specific manner in which it might wish to do so.

There has been much debate on this issue, on the subject of the effect of local option on the community. I think we should be candid here about the impact of this bill. I do not think it is going to have a great impact on many communi-

ties, because most stores will continue to remain closed under our provincial law, as they do now. Our legislation will buttress and support that decision, as the act will be fairer and easier to enforce.

Any community considering a local option will have to assess its effects on employment and family life and some of the issues raised by the members opposite, as have the 25 communities which already have some form of Sunday shopping. However, all retail workers, including the nearly one in three retail workers who now work on some Sundays, will have the right to refuse unreasonable assignments of Sunday work.

I think I am privileged to be a member of the standing committee on administration of justice, which will be meeting in August and September to consider this legislation. Our committee will be travelling throughout the province on this bill. I will certainly be interested in hearing concerns of Ontario's residents.

I am particularly interested in solutions to some of the problems which may be presented. There have been suggestions about improvements to the bill. I have already heard some suggestions about clarifying the relationship between the power of the regional municipality and the area municipalities or between the regional municipality or any municipality and adjacent municipalities. I heard a suggestion this afternoon from one of the members of the third party about public notice, should a municipality wish to exempt itself from the provincial framework and therefore be open in whole or in part on Sunday. I think those are the kinds of suggestions the committee will be considering.

However, I think it is clear that the government is firm in its commitment to amend and improve the current Retail Business Holidays Act.

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In conclusion, our proposal to reform the Retail Business Holidays Act will be a substantial improvement over the current law. It will retain a province-wide law requiring most stores to close on Sunday. It will be fairer, more coherent and more enforceable. It will provide protection for all retail workers, including those retail workers now working Sundays. It will protect merchants from being forced to open by their landlords. It will replace the current local option, the tourist exemption, with a more honest, straightforward provision, which reflects what is actually occurring in this province.



The bill will not be a dramatic change to this province, it will not affect that many people; but it is a balanced, realistic and principled solution to problems with a law that no longer works.

We have a choice. We can ignore the problems and pretend they are not there and do nothing, or we can respond to the diversity and changing attitudes of Ontario through this legislation.

I hope all members of the House will support Bill 113.

**Mr. J. M. Johnson:** I would like the member for St. Andrew-St. Patrick (Mr. Kanter) to know I agree with some of the comments he made on drafting legislation that is flexible and the powers given to municipalities.

I think the members should read the legislation. Subsection 4(1) says...“the council of a municipality may by bylaw permit retail business establishments to be open on any holiday or may require that retail business establishments be closed on any holiday.”

Subsection 4(3) says, “A bylaw or regulation under this section may be restricted to one or more retail business establishments or to any class or classes of retail business establishment....”

Subsection 4(4) says: “A bylaw or regulation under this section,

“(b) may limit the opening of retail business establishments on holidays to specific times or to a certain number of hours;

“(c) may permit the opening or require the closing of retail business establishments on certain holidays and not on others;

“(d) may restrict the opening of retail business establishments on holidays to specific periods of the year or require the closing of business establishments during specific periods of the year;

“(e) may classify retail business establishments....”

The government certainly has a flexible piece of legislation. How in the world does it expect the municipalities to know how to deal with it? The government cannot even define “tourism,” it does not know how to define “tourism” and it expects the municipalities to be able to address this type of legislation.

The government is absolutely, totally incapable of handling this situation. The only thing I can suggest, if it would not trigger off an election, is that the government should resign.

**Mr. Harris:** I thought the member's remarks were pure, unadulterated drivel. I should just sit down and leave it at that, but I do want to comment specifically on one aspect.

The member for St. Andrew-St. Patrick talked about the religious reasons for the Saturday-Sunday. In my view, what we are talking about in Ontario today are family reasons, and there are two problems. School is on Monday to Friday and stores are potentially now going to be open seven days a week.

The Saturday-Sunday I recognize as a problem for the changing religious background we have here in Ontario. If the government is serious about that, it will amend the schools' calendar to be open seven days a week and give them a choice there, because the problem is families having a day to get together. If the government is truly serious about that, which I doubt it is—in fact, I have not heard anybody suggesting that the school week be Monday to Sunday and pick any five out of those seven—then it really has to look at the reality of the situation that is there.

I do not think we are arguing on religious reasons; I think there are enough diverse religions in Ontario today that we cannot do so any longer. In fact, our government has not suggested it is, and the bill that is in place now is not a religious bill. It is a bill for families to try to have one day together. Without changing the school system, which I do not think members are prepared to do, it has to be either Saturday or Sunday. Traditionally, it has been Sunday, and that is what the government is interfering with and that is what we object to.

**Mrs. Marland:** I, too, listened very carefully to the member for St. Andrew-St. Patrick because at the outset of his comments he listed, I think, three or four places he had visited in the province and discussed this subject of Sunday shopping. He also mentioned he had talked to a number of people on the telephone.

I would like respectfully to suggest to this member that before he made a decision to support his own government's bill—in his case, I think he is the parliamentary assistant to the Solicitor General—before they went to this stage of drafting this legislation, first of all they reread the all-party standing committee on Sunday shopping. If that did not satisfy them, because it may be a year-and-a-half old, they went out and asked the people what they wanted.

He mentioned he has been to three or four places. I would like to tell this member that I visited 14 centres in this province as a member of the PC task force. I must say that in 1986 I thought probably the people of Ontario would want Sunday openings. I was as amazed as the next person to find that throughout Ontario there is not a demand or an interest in Sunday

openings, not even in the tourist areas because, as I will mention when I get to make my own comments in more detail, the tourist areas do not want the stores on Sundays in their resort areas.

The member says he is supporting the bill and stands up because he has been to one or two places. He might have more credibility and more sincerity had he been to more places.

**Mr. Kanter:** First, with respect to the comments from the member for Wellington (Mr. J. M. Johnson), he noted quite correctly that the legislation is flexible with respect to municipalities. He noted that municipalities which wished to could close down stores which were otherwise open on a province-wide basis. He suggested, quite improperly in my view, that some municipalities were incapable or incompetent. Should that be the case, the provincial framework will prevail.

It seems to me, and I speak as a former municipal councillor, that the municipalities often have a very good knowledge of local situations. They have a good knowledge of whether areas should be open perhaps in summer or winter and whether some types of stores are important for the tourist exemptions. It is interesting that the current pattern of tourist exemptions is spread throughout Ontario and not limited to Metro.

With respect to the comments of the member for Nipissing (Mr. Harris), I think it is fairly clear that the origin of the Retail Business Holidays Act was the Lord's Day Act. There continues in the current act to be some provisions which are not fair to those who must stay closed on Saturday, with the restrictions on the way they can operate on Sunday. That is not a fair provision.

Thirdly, with respect to the comments of the member for Mississauga South (Mrs. Marland), I did not have the opportunity to be on a previous travelling committee. I look forward to that this summer, as I indicated, and I would point out that our bill has incorporated many of the provisions of the committee of the Legislature.

I note the provision about looking at the gross sales of the business and determining the amount of the fine. That was one of the recommendations of the special committee. I am pleased to see that has been incorporated in our bill in subsection 7(2).

**Mr. Laughren:** I rise in opposition to Bill 113, An Act to amend the Retail Business Holidays Act. I rise in opposition to it because I believe it is destructive and unnecessary. It has been almost embarrassing to see what this

legislation has done to the Solicitor General, who got elected to this chamber with such promise. I can recall the exemplary job the Solicitor General did on one of the standing committees in dealing with workers' compensation problems. I always felt she was very progressive-minded and hard-working and I held out much hope for the Solicitor General.

**Mr. D. S. Cooke:** Until.

**Mr. Laughren:** Yes, until the appearance of Bill 113, An Act to amend the Retail Business Holidays Act, in this chamber.

This act does indeed require businesses to remain closed on Sundays and holidays unless municipalities provide an exemption. While members of the government argue that is simply an extension of the principle of local autonomy dealing with store hours, it really is an unfair argument to make. If, as the member for Muskoka-Georgian Bay (Mr. Black) said a few minutes ago, municipalities already have the right to establish hours for stores, why was this bill necessary? If it is already in place, why is the government bringing in this bill?

The members of the Liberal caucus cannot have it both ways. Either it is a significant change in legislation in the province or it is not. If the municipalities already have this, why are they bringing in this bill? They cannot argue on both sides of this. It makes absolutely no sense whatsoever.

As I recall, the Supreme Court reviewed the previous legislation back in December 1986 and it concluded that—

**Hon. Mrs. Smith:** No, the Sabbatarian exemption.

**Mr. Laughren:** That is correct. Under the Sabbatarian exemption, they said that the law was "constitutional as a reasonable restriction consistent with a free and democratic society." That is what the court said.

A select committee of this assembly, as has been pointed out by other members, reviewed the whole question of Sunday shopping. That was during the time when there was a minority government in the province. As a result of those hearings held all across the province, an extensive report was written. I believe the bill to the taxpayers was almost \$100,000. That committee supported the principle of a common pause day.

**Mr. D. S. Cooke:** Based on what?

**Mr. Laughren:** Based on the hearings that had been held across the province, presumably.

**Hon. Mrs. Smith:** Based on the definition of tourism.



**Mr. Laughren:** The Solicitor General keeps falling back on the problem of defining tourism. I admit there was a problem with the definition of tourism and defining tourism areas. We all accept that, but instead of the government dealing with that problem and working it out, it said: "We give up. The municipalities can deal with the problem." That is exactly what the government did.

**Hon. Mrs. Smith:** Tourism is different in every municipality.

**Mr. Laughren:** The Solicitor General admitted it was unworkable. That is what she said. It is unworkable. That is the kind of confession we do not think is appropriate.

**Mr. Speaker:** Order. I am sorry to interrupt the member. However, we do have new provisional standing orders which allow other members to make comments or ask questions following a member's speech. Probably we could follow those provisional orders, and the member for Nickel Belt may wish to continue and direct his remarks through the chair.

**Mr. Laughren:** Thank you, Mr. Speaker. I will try to avoid getting the Solicitor General excited again.

That select committee did not wash its hands of the whole affair. The select committee said that it was workable, that it could be done. That was the select committee and the Solicitor General was a member of that committee. As a matter of fact, that select committee said that the least favourable option would be for the province to transfer the decision-making process to the municipalities. They did not just stand back and say, "We're not sure," or, "This is one of the options"; they said what the government is presently doing was the least favourable of all the options, that is exactly what they said.

The present Solicitor General, who is piloting this bill through the Legislature, supported those recommendations. As a matter of fact, it is well known in this chamber, but I wonder how many people out there in Ontario can recall the Solicitor General saying that giving it to the municipalities was a chicken way out.

One minute it is a chicken way out and the next minute it is the only way to go. That is why I started out my comments by saying it was almost embarrassing to see the Solicitor General put through the wringer the way she has been put through it on this piece of legislation.

As a matter of fact, during the 1987 provincial election the Premier (Mr. Peterson) himself indicated he had no problem with the legislation the way it was then drafted. That was only as

recently as September 1987. After the election, the government suddenly changed its position. I think it was December 1 that the announcement was made, and one has to wonder why the government did that—

**Mr. D. R. Cooke:** Why? No problems in December?

**Mr. Laughren:** —why the government chickened out, to use the words of the Solicitor General, why it did that.

**Mr. D. S. Cooke:** Did you know that Boxing Day was going to be on a Sunday?

**Mr. Laughren:** The member for Kitchener is interjecting and implying that there were problems before this bill was introduced. Of course, there were problems before this bill was introduced, but I would put to him that after this bill becomes law, and given the majority of the government I assume it will, the problems will be worse than they were before the change in the legislation.

At the beginning, when the Premier and the Solicitor General originally made the announcement that they were changing the legislation, there was a smattering of applause throughout the province. That slowly turned, until now there is an overwhelming tide against this legislation, and the government must surely regret the day that it flip-flopped on the whole question of Sunday shopping. The number of petitions and letters that most of us received on this issue is greater than we receive on the vast majority of very important issues that come before us.

Some of the members of the government have argued that it is a very honourable thing to let the municipalities have more autonomy, to give them what is known as local options, to let them decide. The government argues: "Trust the municipalities. They know what is best for their local area."

If that is true, why is it that the Association of Municipalities of Ontario passed a resolution recently massively rejecting this legislation?

**Mr. Black:** Before the legislation.

**Mr. Laughren:** It was not passed before they knew the principles of this legislation—not at all. As a matter of fact, the Coalition Against Open Sunday Shopping saw the legislation before it made its views known, and it is as adamantly opposed now as it was before it saw the actual legislation itself, because nothing has changed in the legislation that would lead anybody to change his mind about open Sunday shopping.

Interjections.



**Mr. Laughren:** Open Sunday shopping also means Sunday working. That is why we see it as a piece of labour legislation, even though the second bill, Bill 114, An Act to amend the Employment Standards Act, which is a separate piece of legislation and which we are not here debating today, is supposed to protect workers. We know that is simply not the case, that it is not going to protect workers. Even without Bill 114 to protect the workers, it is still a piece of labour legislation. Whether we had that bill or not, this is a piece of labour legislation.

As a matter of fact, if the Solicitor General had had her wits about her, she would have insisted that this bill be handled by the Minister of Labour, just as the subsequent bill will be handled by the Minister of Labour, because that is really what this is coming down to.

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We feel very strongly that there needs to be a day of rest, a common pause day. We do not see why this government is so anxious to commercialize the province even more than it is now. Why are they so anxious to turn this province into one big hive of commercial activity seven days a week? Why? Why is it so necessary?

Was there a great clamouring all across the province for Sunday shopping? I do not think so. Do the municipalities want it? I do not think so. As a matter of fact, we know that the municipalities do not want it.

It is not as though only people involved in retailing will be affected by this legislation. People involved with all sorts of services—municipal services, fire protection, traffic control, the industries that provide services to the retail sector—will be affected as well, along with the disruption in families. This is a major piece of social and labour legislation.

Why the government feels that it needs to expand the commercialization on Sundays is beyond my comprehension. We all know there are all sorts of activities going on out there now. We know that service stations are open now, restaurants are open now, theatres are open now, sporting events are open now. Why do they need to expand it even more? The government has not answered that question.

Mr. Speaker, you may recall—I am sure you do—that the government prosecuted Paul Magder, who was opening his fur store on Sundays. This is what the Attorney General (Mr. Scott) said in those days, when he was defending the conviction of Paul Magder. He said:

“The evidence overwhelmingly indicated that there was a need for a legislated pause day due to

a reluctance on the part of many industries to regulate themselves in accordance with this objective. There is an accompanying erosion of the opportunity for retail workers to participate in leisure activities with family, friends and others. A uniform pause day was needed to allow the pause day of retail workers to coincide with that of their school-aged children, spouses and friends and community events. A quality common day of recreation was needed for as many of Ontario citizens as was possible.”

That is the Attorney General of the province, the person who many people regard as the primary source of political expertise to the Premier. If he can argue like that one day and the next day enthusiastically support a piece of legislation that completely contradicts that view, what kind of expertise or advice is the Premier getting from his Attorney General? It is truly remarkable.

I received a letter from a woman in Sudbury—and I did not realize how many letters I was getting until it was brought to my attention that there was a stack of them there. This is a letter, not from a constituent of mine, but a woman who lives in Sudbury. Her name is Elizabeth Barnes. Talking about Sunday shopping she says, and I wish all members would think about this, “Not only does it put a burden on retail workers and their families, but it also widens the gap between the more affluent in our society, namely, those who have jobs allowing them to take the whole weekend off, and those in service occupations who don’t.” I like that.

What Elizabeth Barnes is saying is that once again we will have the low-paid, part-time workers servicing those who have the bucks to spend on the weekend. It will not be the high rollers who are working on Sundays, you can be sure. It will be people working at low wages, and very often it will be part-time people.

Speaking of those people, the bill provides inadequate protection for those who do not want to work. The onus will be on the employees to show that to have to work on that Sunday is unreasonable. You can imagine, I am sure, Mr. Speaker, as an employer yourself, that enlightened though the employer may be it is not an even match when an employee approaches the employer and says that he really does not want to work on Sunday, even though the employer has asked him to do so. That is not an even match. The employer determines whether or not that employee will continue to work there.

The best comments I read on that had to do with the Coalition Against Open Sunday Shop-



ping, which put together a very good critique on the problems of workers refusing to work on Sunday. The bill says that they can refuse to work if they have reasonable grounds to do so. However, and I am quoting now from the CAOSS brief—after the coalition had seen this piece of legislation, I might add, not before.

Dealing with the question of reasonable refusal to work on a Sunday, they say: “However, for a successful complaint the refusal to work on Sundays has to be reasonable. Bill 114”—the subsequent bill—“defines what a referee may consider reasonable and, therefore, what is reasonable for an employment standards officer, a worker and an employer.”

Let me give some examples of how this bill will put workers under the gun: “It is unreasonable for a union member to refuse work on Sunday if there is a collective agreement that addresses Sunday work, even if that agreement does not deal specifically with a set of personal circumstances. Therefore, the protections that might be afforded to nonunion members are not given to union members.

“It is unreasonable to refuse Sunday work if a premium is paid for that work. The Ministry of Labour makes the assumption that family values and personal friendships, fellowship and relaxation have a price, that to refuse time and a half pay to be with a spouse or children, demonstrates, in the government’s view, an unreasonable attitude towards the work ethic.” That is what this bill means.

“It is unreasonable to refuse to work Sunday if the employee has also refused on previous Sundays. It is unreasonable to refuse Sunday work if the employer claims that an employee is irreplaceable. It is unreasonable to refuse Sunday work if the employer claims it is an emergency.” Well, one could drive a Mack truck through the loopholes in this bill and its companion, Bill 114, in terms of protection of workers who do not want to work on Sunday.

The Minister of Labour, who is no friend to labour as we are quickly discovering, should be ashamed of himself. I am glad to see that the Minister of Labour is here, sitting where he should be sitting, among Tories.

The Attorney General had this to say about retail employees. This is the Attorney General speaking again, not me: “Retail employees are generally nonunionized, have low job mobility and few, if any, mechanisms for the redress of grievances. As a group, retail workers are not in an economic position to negotiate a satisfactory

financial arrangement for Sunday work and are subject to subtle economic pressure to work.”

The Attorney General has made his position clear on how little protection there can possibly be for retail workers who do not want to work on Sunday, and then he goes ahead and endorses this antilabour legislation. The Minister of Labour will stand in his place and argue that there will be protection for workers who do not want to work on Sundays.

When that day comes, I want to see the Attorney General stand on his feet and reaffirm what he had said previously about how little protection retail workers have, because I want to see the Minister of Labour and the Attorney General in agreement on Bill 114, the subsequent bill. They cannot have it both ways over there. The Attorney General is arguing one day that we cannot provide proper protection for retail workers and the next day he is going to be supporting the Minister of Labour. That is total hypocrisy on the part of this government.

You tell me, Madam Speaker, how you can have the chief law officer of the crown standing up one day and saying it is impossible to provide proper protection for retail workers and the next day have the Minister of Labour introducing a piece of legislation that pretends to do what the Attorney General has just said cannot be done.

If that is not hypocrisy at the highest level of government, I do not know what is. That truly is hypocritical on the part of this government. It is getting a little wearisome to see this government time after time having promised one thing during the election last year and delivering something different after the election.

**1700**

If they think they are getting away with it—I suppose in the short term they are, but I want to tell them their days have got to be numbered if they keep up that kind of performance. The public out there understands what they are doing with this bill.

This caucus and this party is adamantly opposed to this bill. We are not trying to talk out of both sides of our mouth, like the Attorney General is doing. What do members think the Attorney General is doing? One day he says it cannot be done and the next day he supports it. If that is not machiavellian and hypocritical, then tell me what is.

I am also concerned about the small business community. We know that if a municipality exempts a particular part of its jurisdiction from Sunday closing, that puts enormous pressure on the rest of the community. If, for example in



Toronto, Harbourfront is open and the Eaton Centre is open, can Yorkdale be far behind? Can the Don Mills shopping centre be far behind?

I do not really know the names of all the big plazas in Toronto and I do not apologize for that, but we know that if a municipality makes an exemption for any part of its boundaries or its jurisdiction, it puts enormous pressure on the adjoining areas.

I represent part of the regional municipality of Sudbury and I know that even if the city of Sudbury puts in a restriction and says, "No, we're not going to allow open Sunday shopping," and one of the area municipalities right on its boundaries decides that it needs a real boost in its local economy, it will, we can be sure, make an exemption. That area will open up and then that puts pressure on the city.

**Mr. D. R. Cooke:** What's changed?

**Mr. Laughren:** We are not talking about tourism. We are talking about a shopping centre or any store. Besides, the government members keep saying, "What's changed?" If nothing has changed, why do we have this bill?

**Mr. D. R. Cooke:** You know there is a big difference.

**Mr. Pelissero:** Because it's more fair and it's more enforceable.

**Mr. Laughren:** It is more enforceable for the municipalities.

**Mr. D. R. Cooke:** You are the one who says there's no change. You are saying there's no change.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. Laughren:** We know that when this bill becomes law there will be enormous pressures from the people who own the malls, the shopping centres, not the individual retailers. It will be the mall owners who will say to the individual stores, "We want you to be open and the terms of lease say that you will." I know the bill says that if there is that kind of language in the lease it is deemed to be invalid under this legislation, but what happens when that lease expires at the end of one, two, three or five years and a new lease is being written? We can be assured that that will not be in there, that they will not even get that lease renewed.

There is enormous pressure on the small retailer. Just as it is not equal competition between the employee and the employer when it comes to Sunday shopping, it is not equal between the small retailer and the mall owner when it comes to negotiating on Sunday shopping either. We know that. We know who has the

economic clout in this society. It is not the retail worker and it is not the small business community that is in the big malls either. The government knows that. It is being rather silly with its arguments.

The argument that some larger retailers have used, that it will increase revenues, is surely the hollowest of all arguments. How do you increase your profits, for example, if instead of spreading the business over six days you spread it over seven? How does that enhance the position of the small business community? It does not. That is why they are against this bill.

I think of the problem of hiring staff. I am sure that this is going to simply increase the number of part-time, low-paid staff in the retail sector. You can be absolutely certain of that.

I think of the enormous pressures on the municipalities. It is possible for a municipal councillor simply to rise in his or her place at a council meeting and move a motion, the debate could be through and it could be all over that same night, and you could have a municipality opened up for Sunday shopping all in one evening, in one evening's determination.

We in this caucus are adamantly opposed to this legislation. I will conclude by quoting again from the Coalition Against Open Sunday Shopping. CAOSS has this to say:

"In these two bills we have an expressed local option which virtually guarantees wide-open Sunday shopping throughout Ontario; a promise for local public debate on Sunday opening that provides no mechanism to ensure public participation; a labour protection act that offers no protection to labour; a Sabbatarian exemption that requires a public declaration of private beliefs; a promise of increased enforceability by a fine of \$50,000 that is not really a \$50,000 fine; a promise of protection to tenants of malls so they will not be forced to open on Sundays that is no protection at all; and, finally, an argument that these bills will produce greater equality and fairness while in fact always putting the burden for protecting the common pause day on the party in the poorer bargaining position, whether worker, retailer, municipal councillor or tenant."

I am pleased to join the rest of my caucus colleagues in opposition to this piece of terrible legislation.

**Mr. J. M. Johnson:** I would like to compliment the member from Nickel Belt (Mr. Laughren) on one of the finest speeches he has given in this House in some time.

I would especially like to make reference to his comments regarding the small business commu-



nity. I happen to have owned and operated a small retail business for over 30 years and many of the comments that the members made are very accurate and to the point. I wish someone over there had some business experience and they would not have drafted this type of legislation.

I would like to just make one reference to the Solicitor General. A short while ago, a few months ago—and it has been quoted—she admitted that this so-called municipal option will eventually lead to wide-open Sunday shopping because of the domino effect. This basically means that if one municipality votes to allow wide-open Sunday shopping, economic pressure will force neighbouring municipalities to take the same action or risk losing new businesses and customers. That is the point the member has raised and it is a point that is very valid. Not only municipalities become involved in this domino effect but retail merchants get caught in the same domino effect, because if your opposition opens up you have to open in defence or you lose business.

The member made the other point that if there is X number of dollars to be spent in six days and you spread it over seven, you do not pick up any more dollars but you do incur a lot of extra expenses. You end up with less service for the customers. It is a more costly service and there is less profit for the retail merchant, plus the fact that he is forced to open on a day when he should be with his family.

**Mr. D. R. Cooke:** I am interested in the various views of the philosophy of hypocrisy that are coming from the other side of the chamber. I think that one thing should be made clear right from the beginning, and that is that we are not in this legislation bringing about any kind of a—

**The Acting Speaker:** I would request the honourable member to be very careful with his words. I noted that the member from Nickel Belt was very careful with the use of that word.

1710

**Mr. D. R. Cooke:** Yes, and I am simply commenting on my interest in his views.

**Mr. D. S. Cooke:** On a point of order, Madam Speaker, I think the way the member for Nickel Belt used the word “hypocrisy” was quite different than the member for Kitchener. The member for Nickel Belt specifically referred to the government being hypocritical. The member for Kitchener has specifically referred to the member for Nickel Belt for being hypocritical and I think he must withdraw the remark.

**Hon. Mrs. Smith:** He calls me one thing. It is all right.

**Hon. Mr. Kerrio:** Clean up your act if you expect other people to.

**Mr. D. S. Cooke:** Why don't you shut up for once, Vince? You are an absolute bloody disgrace with your mouth.

**Hon. Mr. Kerrio:** Play the game any way you want to play it.

**Mr. D. S. Cooke:** That's right. You have taught me all I need to know, Vince. If anybody plays the game, you do.

**The Acting Speaker:** Order.

**Mr. Philip:** You are afraid to come out for a debate on Sunday.

**Hon. Mr. Kerrio:** Your yapper is going all the time.

**Mr. D. S. Cooke:** If ever there was a yapper in this place, it is you.

**Mr. D. R. Cooke:** Madam Speaker, what I said was—

**The Acting Speaker:** Order, order. You are taking up valuable time with respect to this debate. I would request the member for Kitchener to withdraw his comment at this time and to proceed on his views with respect to the comments that were made by the member for Nickel Belt.

**Mr. D. R. Cooke:** The comment I made was that I was interested in the philosophy of hypocrisy that was being expressed by the opposition. If that offends the House, I will certainly withdraw that.

**The Acting Speaker:** Thank you very much. Please proceed.

**Mr. D. R. Cooke:** Thank you. I think it should be made very clear that the transmission of power to the municipalities took place under the government of George Drew in 1950 when the Lord's Day (Ontario) Act was passed. For the last 38 years, the member for Nickel Belt and the other members of this House who have lived in this province have lived under a municipal option. We are not changing that. To suggest that it is being transferred from the province to the municipalities is an inaccurate interpretation of the legislation. I think that should be made clear to begin with.

Secondly, we are in fact attempting to improve this legislation. That is basically what we are going to do. There are things in it which are changing. The member for Nickel Belt was around here at Christmastime when he knew, surely, that there are laws in Nickel Belt just as

there are laws in other parts of the province. There are stores that are staying open in contradiction to the law, so we are changing that law. We are going to toughen it up so that there will be stronger penalties on stores that stay open. There will not be the chance to move back and forth between Saturdays and Sundays and so forth.

We are bringing in, with amendments to the Employment Standards Act, the most progressive labour legislation this province has ever seen and I think it is incredible that the NDP, of all parties, should be opposing this. I wish, in responding to this, that the member for Nickel Belt particularly would address himself to something specific in this bill which we promised and on which we changed our promise, because I have not heard any argument whatsoever to that effect. Thank you very much.

**Mr. Wildman:** I just note that the member for Kitchener said the government has changed its promise. I would like to say that is just another way of saying they broke their promise. I think the whole exchange indicates that too many cooks spoil the broth.

**Mr. D. R. Cooke:** On a point of order: I did not indicate that the government has changed or broken a promise.

**The Acting Speaker:** That is not a point of order but a point of explanation.

**Mr. Reycraft:** I listened with interest to the remarks by the member for Nickel Belt. I congratulate him on the delivery of his remarks but I must say I am disappointed in the content of his speech; not surprised, but disappointed.

**Mr. D. S. Cooke:** It is the best speech you have ever heard.

**Mr. Reycraft:** It may have been the best-delivered, but it certainly lacked in content.

He asked why we are bringing this forward if it does not change things. It does change things. It eliminates the loopholes that exist in the current act. Stores will not be able to rope off, drugstores will not be able to masquerade as drugstores when in reality they are department stores, and it increases the penalties substantially, from \$10,000 to \$50,000. Those are some very good reasons this legislation has been brought forward.

**The Acting Speaker:** The member's time has expired. There is no further time. Does the member for Nickel Belt wish to respond?

**Mr. Laughren:** First of all, I would like to thank the member for Wellington for one of the most perceptive and lucid statements he has ever

made in this chamber and thank him for his kind remarks. I will give the remarks of the member for Kitchener the time they deserve and ignore them completely, and talk rather about the select committee on retail store hours and just sum up what that select committee said, which all of the Liberal members supported.

This is what it said: "These recommendations were guided by the principle, unanimously supported by the committee, of a common pause day in Ontario. The recommendations seek to achieve a system of greater fairness and equity in the regulation of retail activity in Ontario on holidays, including Sundays, while permitting acceptable retail activities on these days in our modern society."

That was the select committee on retail store hours. It was signed by, among other people, the member for Yorkview (Mr. Polsinelli), the member for Lambton (Mr. Smith) and the member for London South (Mrs. Smith).

When I see that unanimously endorsed by the members of the committee and then I hear the Attorney General make his comments, which are totally different one day from another day, and I hear the Solicitor General (Mrs. Smith) make her comments on Sunday shopping which are totally different one day from another day. While I know it is not nice to use the word "hypocrisy" in this chamber, Madam Speaker, I am sure you will understand why one is tempted to do so from time to time.

Interjections.

**Mrs. Marland:** In rising to enter into this debate on Bill 113, An Act to amend the Retail Business Holidays Act, I would at the outset draw the attention of those members of the House who are currently present to standing order 24(b), which says, "When a member is speaking, no other member shall interrupt him"—or her—"except on a question of order."

It is probably significant to point out that the standing order in fact says "shall not interrupt him." I have added the editorial "or her."

**Mr. Ferraro:** On a point of order, Madam Speaker: Is the member for Mississauga South indicating, by reading that, that we should not do what she did when the member for St. Andrew-St. Patrick (Mr. Kanter) was speaking?

**The Acting Speaker:** That is a point of explanation. The member for Mississauga South has the floor.

**Mrs. Marland:** The very reason I raise that is that when the member for St. Andrew-St. Patrick was speaking, there was complete silence in this



House from all sides. It is rather significant, and I would suggest that if the members of the Liberal government, whose bill we are discussing, can show such respect and consideration to their own members when they are speaking, they might do well to consider the standing order and to extend that courtesy to all of us who are taking part in this debate.

Having said that, I think careful note should be taken that I have deferred my comments on other people's speeches until the two minutes when it is allowable and appropriate to comment on other people's speeches.

**1720**

Let me say at the outset of this debate that I wish we had a government in this province which could set realistic and responsible priorities. I deplore the fact that we are here today using valuable time on a debate which really should not be needed if this Liberal government would face up to its responsibilities.

Yes, the present Retail Business Holidays Act is not working totally, but instead of making amendments to make it work, this Liberal government has taken the cowardly way out. It is shirking its responsibility and it is passing off its job to legislate in the best interests of the people who live in Ontario.

**Mr. Epp:** On a point of order, Madam Speaker: I believe that language is completely unparliamentary and I believe the member should withdraw it.

**Mr. Wildman:** On a point of order, Madam Speaker: The member for Mississauga South was not suggesting in any way that this government was prevaricating or doing anything dishonourable like that. She was just indicating that government members are cowards, and that is not unparliamentary.

**The Acting Speaker:** The member for Mississauga South has the floor. Would she continue on Bill 113, please.

**Mrs. Marland:** Thank you, Madam Speaker. I think Hansard will show that the word that I used was "cowardly," which in fact does describe the Liberal government on this subject of Sunday shopping. I also said that the government is "shirking its responsibility," which I happen to believe it is. The people I represent also believe this government is shirking its responsibility by not dealing in the best interests of the people of Ontario with this subject of Sunday shopping. It is passing it off to the municipalities.

How ironical it is, when the Liberal government has the unprecedented mandate with its 94 seats, that it cannot even deal with something as simple as the subject of Sunday shopping. It has failed its first test because it chose not to handle it but chose to pass it off to the municipalities. It is very interesting and necessary to emphasize that these are the same municipalities which last August, through the Association of Municipalities of Ontario, AMO, said they did not want it.

Also, I feel that this government has been misleading in terms of the fact that when its members were campaigning last August and in the first week of September, they did not mention in their campaign that this is what they would do with the subject of Sunday shopping.

So here we are using valuable time in a debate which simply is not required. If we had a government that would listen to the people it represents, if we had that kind of government in Ontario, the people of Ontario would know they would have a government that would deal with issues in terms of priorities.

There is only so much time for legislation to be processed through this House. I suggest we could be here today discussing important priorities such as the homeless and solutions for them, health care, hospitals and the delays for much-needed surgery. We have hospitals that today are facing funding problems. We have thousands of children in portable accommodation in schools because we have underfunding in terms of capital needs for school construction, particularly in the city of Mississauga where we now have close to 1,000 portables between the public school system and the private school system.

It is sad that this government does not see the very real priorities. I have a number of instances in my own riding where special education programs are needed for children, special programs that involve some residential requirements. We need nursing home beds. We need chronic care beds.

Need I go on? The list is very long, but instead of discussing those needs in terms of human priorities for the people of this province, here we are discussing a nonbill. We are discussing something that does not even need to be discussed. This is an unnecessary debate, because if the Liberal government had chosen to use the legislative process to make the necessary housekeeping changes—for example, amendments to make the present legislation workable, which was a recommendation of the all-party committee on extended shopping hours—those amendments could easily and very quickly have



been processed. We would all have supported the increase of fines and we would have supported stronger punitive measures.

I will not name him, because he has already had far too much free publicity, but the only reason the furrier in Toronto took the route he did was that the penalty was not severe enough. What did he have to fear? He had about \$2-million worth of free publicity and goodness knows how many millions of dollars' worth of business in the last three or four years by flouting the existing laws. There is a pure example that the remedy for that situation would simply have been to make some amendments to the present legislation.

**Hon. Mrs. Smith:** You say we should have left him alone?

**Mrs. Marland:** Madam Speaker, I would appreciate it if the Solicitor General would wait for her two-minute rebuttal of my speech rather than interrupting as I go along, because I promise the Solicitor General that I did not interrupt her yesterday and I will show her the same respect when she is speaking.

**The Acting Speaker:** I request the member for Mississauga South to continue with her speech, please.

**Mrs. Marland:** Just briefly, to look at the history of what brought us to this unnecessary debate today, in that history, of course, we have to include the Progressive Conservative caucus task force, which I was fortunate to be a member of. When that task force started its tour around the province in 1986, although I personally was opposed to Sunday shopping and I personally am a strong proponent of a common day of pause, I thought that probably in 1986 the people of Ontario would be ready for wide-open Sundays.

I must tell the House, having visited 14 places with that task force, I was amazed to find that even in the tourist resort areas, and not ones that are proclaimed but ones that exist—such as Niagara-on-the-Lake, Peterborough, Orillia, Kenora, the Lake of the Woods area, and Cornwall, which include two border towns that compete with open Sundays in the United States—in all of those places we were told, “We do not want it.” I thought in a place such as Peterborough, for example, with resorts and cottagers, it would be wanted.

What we found in fact was that people said to us they do not shop on Sundays in those areas for two reasons. One, if they are cottagers who are up for the weekend, they are returning home on Sunday. If they are cottagers who are up for a vacation time, usually the weekend is the time

when other people come to visit them and they are entertaining on Sunday.

Then the commercial resorts and hotels told us that because Saturday is the day they change the people who come to stay at their resorts, Sunday is a day that people want to rest. They have been travelling. If they have just checked in, they want to acclimatize themselves, and Sunday is the day when they want to just sit and do nothing. They find that on Sundays people do not want to get up and go out shopping either.

We also found that in many of the other areas that are nontourist and nonresort, people simply did not want to be open or to be required to work on Sundays. We also found that other people simply did not want to shop. Certainly, when that Progressive Conservative task force reported, it was very clear what the priorities of the people of Ontario were at that time.

One of the quotations I would like to give from the Progressive Conservative task force on extended shopping hours is as follows:

“Many of these businesses have continued to open on Sunday and receive their weekly summonses. Their cases have been adjourned by the courts, pending the decision of the Supreme Court of Canada in four cases (three convictions and one acquittal) which were argued before it in March of this year under the provisions of the Charter of Rights and Freedoms.”

### 1730

That excerpt from the 1986 report is dealing with the subject of the violations. The funny thing is that even with the new legislation, there will still be the same processes and there will still be the problem of challenges to the courts. So this legislation does not change anything. That was a problem. It was a problem that was recognized by the task force. But this legislation does not improve that.

The most important part of that report was the first recommendation that reads as follows, “The primary responsibility for the administration of the Retail Business Holidays Act, or other legislation relating to retailing on holidays, should remain that of the provincial government.”

Lest we think that perhaps the Progressive Conservative task force was biased politically, I would like to now refer to the report of the—I am sorry. One other recommendation, of course, of that task force was, “The general principle of a common pause day should be maintained.”

It is very clear that after that task force, which was organized by the Progressive Conservative caucus of this Legislature, took place, it would



follow that perhaps the government, understandably, would want an all-party examination. That is how the select committee on retail store hours was established and it too toured the province. As a matter of fact, it too went to some of the same places our PC task force went to.

How interesting that the select committee on retail store hours—I emphasize again that it was an all-party committee. The first recommendation of that committee was that the jurisdiction for the Retail Business Holidays Act and other legislation relating to retailing on holidays should remain with the provincial government.

It really is still beyond my comprehension that as recently as a year and a half ago, the Liberal caucus and Liberal members of that committee unanimously supported that recommendation. The Liberal Party was the government in Ontario at the time of that touring, all-party committee.

It is difficult to discuss this subject without a lot of repetitive rhetoric, but because the Liberal government does not listen and does not hear, it is necessary to state some of the very obvious areas of concern.

I have personally presented in this Legislature over 10,000 petitions. What has really amazed me among those petitions has been a tremendous representation of a cross-section of ages. They are not all older people; they are not all “people you would assume want a common day of pause for religious reasons.” The concern about open Sundays goes across all colour, race, religion and creed. I think it is very significant that all ages are concerned about this subject.

I would like to speak briefly about the local financial impact on my municipality. People who might occasionally like the convenience of Sunday shopping, if they already find that convenience stores and 24-hour drugstores are not sufficient and want a little extra, have to know and be forewarned that they will be paying for it. We certainly will have higher costs on merchandise because companies cannot provide seven-day shopping without it being a higher cost. They have to pay the salaries, the lighting, the heating and everything else that goes with having a business open; added insurance would not be the least of those costs.

We will be paying more for whatever it is we want to shop for. I say “we” in the royal sense of those people who might marginally be interested in Sunday shopping.

There is also another area of higher costs and that is on our local property taxes. I would like to tell you, Madam Speaker, that in the city of Mississauga, the cost of introducing Sunday

shopping in the transit-cost area alone has been estimated to be \$24,000. Also, in the city of Mississauga, there has been an estimate of the cost of bylaw enforcement. Obviously, if you are going to have a change in any legislation, you are going to have to have bylaw enforcement. In the city of Mississauga that is \$74,000. That totals \$100,000, just as an estimate for what it is going to cost the local property taxpayers in Mississauga.

Certainly, for the region of Peel the subject is just as grave as for the city of Mississauga. In fact, I would like to quote the regional chairman, Frank Bean, who is reported as saying:

“‘While Ontario Attorney General Ian Scott originally promised nobody would be fired for refusing to work Sundays, the legislation says something quite different,’ according to Bean. ‘If there was a dispute about an employee working on Sunday, the issue would be resolved by an arbitrator who would have the power to impose payment of back wages if he felt an employer had been unreasonable in his request.’ Asked how he felt about the region making the decisions on Sunday shopping, Bean said, ‘We told them 1,000 times no, but here it is anyway. Both regional and municipal councils feel the province should make the decision on Sunday shopping, since the control of retail hours rests with the provincial government.’”

This provincial Liberal government is not listening. I would like to talk about the fact that this government is not listening in spite of the latest Gallup poll. It is funny, because generally governments are quite concerned about reacting to what it is the public would like them to do.

It is my understanding that a Gallup poll in the Toronto Star on June 3, 1988, indicated that 46 per cent of Ontarians oppose Sunday shopping. Also, this same Gallup poll indicates that 48 per cent of Ontario residents believe Queen’s Park should decide the issue. Even if they are opposed to Sunday shopping or they are not black and white on that issue, they are still very strong when 48 per cent of the people say the issue must be decided by Queen’s Park.

These amendments fly in the face of earlier Liberal promises to support a common pause day. It is significant to remind the Liberal members that when their party was in opposition, they were against expanded Sunday shopping, and during the 1985 election campaign and up to November 1985, the Premier stated categorically that the Liberal government would not abandon the common pause day.



Well, not only has this Premier abandoned the common pause day, but he has also abandoned the people. I have to ask, who can trust this kind of Premier? Despite the widespread opposition from labour, retailers, church and quality-of-life groups, municipalities and the 300,000-plus membership of the Coalition Against Open Sunday Shopping, the Liberals have forged ahead.

We also know that this is an open government. I would just like to talk about the fact that there has been no consultation. This government has consistently maintained that it will heed public opinion and consult with all concerned groups, but in typical Liberal fashion, the government has not kept its word. It certainly has not listened and it definitely has not consulted.

The proof of this is the fact that the Coalition Against Open Sunday Shopping has been refused an audience with the Premier. In fact, on March 21, CAOSS sent a letter, with copies to the Attorney General, the Minister of Labour, the Solicitor General and seven senior Liberal aides, requesting a meeting with the Premier, but the Premier did not even give the courtesy of a reply—not even a reply, let alone the meeting. Not once did the Premier meet with CAOSS, nor did he meet with any of the quality-of-lifers and church groups who, combined as the interfaith committee, drafted a public statement to elicit some form of reaction from the government; still the government refused to budge. Again I ask if this is open government.

**1740**

The Premier's only movement has been a computerized form letter in response to an earlier letter from the Coalition Against Open Sunday Shopping, dated February 10. In this form letter, which the Premier issued two months later, on April 7, he stated: "No new legislation has been introduced as yet, and we are currently consulting with a number of groups on this important subject. Please be assured that your views will receive my careful consideration." The coalition and the opposition parties ask the government, whom did it consult and how does total evasion constitute careful consideration?

If the Liberals have an open and consultative government, what then, I ask, is a closed one? How can they ignore all of those people, and why? Even if they have their own mindset as a government about what they want to do on this subject, I think those kinds of numbers of people—over 300,000 people in this province—have a right to be heard; they have a right to be listened to. To echo the words of CAOSS, I want

to say that the proposed Sunday shopping legislation represents bad policy, bad legislation and bad politics. It is literally unfair and unenforceable for the following reasons.

The quality of life for families will be impaired. I happen to stand here in the Legislature today as a believer in the nuclear family. I have also to acknowledge that where there are children in Ontario today, they attend school from Monday to Friday; so what days are we going to have left for families to be together? Many parents will need to work. Particularly difficult situations will arise for single parents who work in the retail sector, more than half of whom are women. They will have lost their only day to be with their children. For some, they will have to find and pay for additional day care services. Not only is this bad for parents, but an increased incidence of latchkey children will further weaken the quality of life for children in Ontario.

CAOSS's quality-of-life statement emphasizes that the social fabric of healthy communities depends on more than buying and selling commodities. People are more than simply economic entities and their needs are complex. Increased economic activity will wreak more havoc and do more harm than good in this sense.

I would like to emphasize that, apart from the nuclear family, I have found from talking to the people in my riding that the young singles, the teens, the so-called yuppie singles between 20 and 35 years of age, also support a common day of pause.

The proposed legislation denies workable protection for the retail employees who want to spend time with their families on Sundays, particularly the most vulnerable, single-parent mothers and fathers, and it obliterates freedom of choice for all retail workers. About one third of Ontario's workforce will have to work on Sundays, and this is due to the inevitable ripple effect. As retail stores open, other industries will have to increase service; for example, transportation, police forces, day care, hospitals and other related industries.

When this government wrote this legislation, I really have to wonder to whom it was listening. I have to tell members that after 15 years in politics, I know that people who are elected to represent the interests of their people do not get elected when they do not represent their people. I have to ask whom this government is representing. Who is it that is asking for this legislation? What voice? Where from?



How can this Liberal government ignore all those petitions, all the petitions that both opposition parties have tabled in this House? Where are the petitions on the other side of the issue? Where are the people who are asking for wide-open Sundays, and from now on, where do we go? Oh, yes. That is right, of course, we go on the road. We take the road show. We spend \$200,000 or \$300,000 touring this province. Again, we have another committee.

I shall be very interested when the public hearings come back and when we find out what the opinions are. The point of the matter is that if this government was sincere and listening to the people, we would not be here discussing this bill today. It would have listened to the petitions, instead of which this government has chosen to ignore the petitions.

If they could table the same number of petitions in favour of Sunday shopping, then we might have a discussion in this House, but it is very strange that the Solicitor General has chosen to ignore those petitions. In fact, it is more than strange in my opinion, but I will not refer to any other words.

It is very sad that we have a government that will not listen to the people.

**Hon. Mrs. Smith:** You are misinforming the public.

**Mr. Speaker:** Order.

**Mrs. Marland:** Yes. We are informing the public after the fact. We are saying to the public: "We will ignore your petitions. We will ignore the voices that we are hearing from. We will go ahead and we will draft legislation and then we will go out on the road and ask them what they think of it." The very fact that we have not heard from people who want Sunday shopping speaks for itself.

It is very significant that there are many members of the government caucus in this House who have themselves presented petitions on behalf of their constituents who are opposed to Sunday shopping. It is very significant that they have chosen to support their own government bill, which we know will result in wide-open Sunday shopping. I wonder how their constituents are going to feel about the fact that they have gone to the trouble to collect petitions and signatures, only to have this government ignore them.

In closing, I want to quote from this brief from the Coalition Against Open Sunday Shopping.

"If we are to protect the interests of families as the primary building blocks of society, we must take steps to avoid increasing the pressures that

fragment families. Wide-open Sunday shopping would give further emphasis to the illusionary philosophy that material prosperity alone will bring about happiness and wellbeing.

"Historically, in Canada, Sunday has been considered to be a family day and a day to touch basic human needs such as rest, relaxation, recreation and companionship and, for many, a day of worship. This common pause day helps people to keep the rest of the week in perspective and it has a restorative effect on the human spirit. Such a common day of rest for the family and other individuals is built on freedom from the usual demands made by the marketplace. It frees the family to be together, to relax, to relate to one another and to neighbours, to visit the sick and the lonely. It strengthens family and social bonds.

"The primary concern of government in this matter should be the protection of the most vulnerable: those whose economic need, social situation or family status could turn them into a class of Sunday workers serving the convenience of those who are fortunate to have the day off."

The only added comment I would have is that where CAOSS is talking about family in its comments, I know it is also talking about members of families who are single and those people who still want to be able to visit their relatives and their grandparents and have a sharing within that family setting, and also the young people who want to be able to recreate together on Sunday because it is a common day of pause. It is a day they will know they can look forward to, whether it is for skiing or another sports activity, winter or summer, or just pure visiting. They know they will be able to do it, because their friends, their relatives and their family will also share that common day of pause.

**1750**

It is with regret that we have to go through this exercise, but fortunately for the people of Ontario, some of their voices and some of their concerns will be heard on this issue through the two opposition parties. Tragically, the Liberal government chooses on this issue to ignore the people of Ontario, who have very loudly and very clearly said, "We do not want wide-open Sundays."

They have not said they fail to recognize the weaknesses with the present legislation, but like all bills, it can be improved with amendments. The amendments this current legislation should have had should have addressed the fines, the punitive measures and also the problem with local jurisdiction in terms of tourist area. None of



those things was impossible to correct. None of those things would have been impossible to improve and make enforceable.

Instead of that, we have a blatant example of a government ignoring its people, throwing the baby out with the bathwater, and the end result is that only on the shoulders of the two opposition parties is the burden to try to make this government listen.

I really wonder what would happen if there were a free vote in the Liberal caucus, as I know there will be in the Progressive Conservative caucus, in order for everyone to represent the opinions of the people who elected them. If any one of the Liberal caucus members has petitions from people who say, "Give us Sunday shopping," then I think they should table them. They have no right to ignore the people of Ontario, and that is what has happened with this issue, which I think is a black mark in the day of the Ontario Legislature in representing the needs and wishes of the people of Ontario.

**Mr. South:** I would agree with the member for Mississauga South that we, the government—and I do not know that we are the royal "we" that she referred to—but in all seriousness, we will learn much from listening more closely to the opposition. They made some very good points. I want to recommend especially and commend the member for Nickel Belt, the member for Wellington and the member for Mississauga South, who have made some very good points.

We all want to get to heaven; what we are arguing about is how we are going to get there. When most of us listen to this issue and when we realize the implications, I do not think there are too many of us who want open Sunday shopping. How do we bring it about, or how do we get what it is that most of us agree we want? We had a bill and the government decided that, rather than amend it, it would do away with it and introduce another bill. That may be right and it may be wrong. The fact, and the reality we have to deal with, is the bill which the government has introduced.

Can we amend it sufficiently to satisfy the majority of us and, I suggest, the opposition? And this is where I ask them to listen to us. Let's think of the amendments we could make to this bill and make it acceptable to us all.

I suggest there are two areas of concern. There is the municipal option, the municipal responsibility to bring in a bill; why are we so apprehensive about that? I would suggest we are apprehensive because in many cases, I believe, a small municipality can be bought off.

**Mr. Speaker:** The member's time has expired.

**Mr. Wildman:** I would like to commend the member for Mississauga South on her presentation. I listened with interest to the comments from the member for Frontenac-Addington (Mr. South), who indicated that most of us were opposed to wide-open Sunday shopping and that the government was interested in amending the bill. I am glad to hear that, and we will be looking forward, if the bill passes second reading, to the amendments that will be brought forward. I would hope that, during the second-reading debate, the ministers who are responsible for the legislation will indicate what kind of amendments they are proposing.

I think it is important to recognize that all of us have to work to make legislation effective. As the member for Frontenac-Addington indicated, we should all be listening to one another; so we will be listening very attentively to the proposed amendments that will be brought forward by the government, and I would hope it will make clear what they are during the second-reading debate.

In reference to the member's analogy that all of us are trying to get to heaven and we are just arguing about how to get there, I like more a comment that was made by one of the leading members of his political party, the Honourable Jean Chrétien, who said, in his terms, "We are all trying to get to heaven; the problem is nobody wants to die." The problem is that this government is not prepared, at least it has not been up to now, to tell us what steps it is going to take to actually make it possible for us to reach Valhalla.

**Mr. Villeneuve:** I too want to commend my colleague and friend the member for Mississauga South for making clear some very, very important points about the local option.

It is always interesting when we hear some of the Liberal back-benchers all of a sudden, for whatever reason, coming out from under the cloak of secrecy that they seem to have been pledged to and starting to speak their minds, saying they do need a number of amendments to make this particular item of legislation palatable to themselves and to the people they represent, as the Solicitor General in her other incarnation as a member of a committee that went across the province and said, "We do need a common pause day," fully agreed.

As a matter of fact, some people were saying some words that were almost unparliamentary, and the Solicitor General did say that the chicken way out was exactly what she announced a week or 10 days later. That is the kind of attitude we



now have, and I was very pleased to hear the member for Frontenac-Addington express concerns that are being expressed right across the back benches of the Liberal government. I hope more of them speak up because, next time around, the coattail of the present Premier may not be there for them to ride on.

**Hon. Mr. Sorbara:** Frankly, I enjoyed the speech of the member for Mississauga South. I always enjoy it when she speaks in this House. I often do not agree with her and, of course, I did not agree with the content of what she was saying today.

It startled me actually, Mr. Speaker, that she began—you, of course, were not in the House when she began, but she began her remarks by reading the standing orders, imploring other members of the House to pay attention rather than to interject. I noted she was asking that of all the members in the House. I looked over to her side of the House and I noticed that one other member of her party was sitting there listening to her speech. But I did listen to the speech, and I thought that, in her generally eloquent way, she had missed entirely the real thrust of this debate.

Let's just look at the core of what she said during her speech. If you look at it and tear it apart—and I think it needs tearing apart—she says that the government was not listening to the people of Ontario. I myself, during the development of this legislation, sat on perhaps seven different occasions with representatives of the group she quoted from so often, the Coalition Against Open Sunday Shopping. I met with Gerrit de Boer some seven times to hear out his views and to help ensure that his views were crafted into the legislation.

We did listen. We heard the people of the province saying, "We want fairer and more effective regulation of the business of Sunday

retailing." The bill that the Solicitor General has presented gives the people of this province that very thing.

**Mrs. Marland:** I think if anything good happened today in this whole debate, it was the words of the member for Frontenac-Addington, who said in reflecting on his government's own bill: "It may be right. It may be wrong." I think that is singularly significant, because then he went on to say, "We are apprehensive." I am quite sure that member is being totally honest, because if I were a member of a government in any province in this democratic, free country of Canada that did not listen to the people, I too would be apprehensive.

I think the honesty of the member for Frontenac-Addington should be closely respected, because he said that it may be right or it may be wrong, and it is wrong. It is wrong to ignore the voices of the people of this province. It is wrong to ignore the Association of Municipalities of Ontario, and it is wrong if the government does not care enough to listen.

It is very interesting for the member for York Centre (Mr. Sorbara) to say that he met with members of the Coalition Against Open Sunday Shopping. I would have thought that of all the groups the Premier has time to meet with and of all the groups that are voicing concerns of many different needs across this province, the Premier would have had time to meet with a group representing 300,000 people.

I think if we believe in open government, which I hope is why we are all here, we will be responsible and honest enough to say, "Yes, we will at least listen."

On motion by Mr. Ferraro, the debate was adjourned.

The House adjourned at 6:02 p.m.

**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breagh, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Oriole L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cunningham, Dianne E. (London North PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)</p> | <p><b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)<br/> <b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaître, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Miclash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)</p> |
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Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)  
 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)  
 Poirier, Jean, Deputy Speaker and Chairman of  
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 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)  
 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reycraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)  
 Swart, Mel (Welland-Thorold NDP)  
**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)  
 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
**Ward, Hon. Christopher C.**, Minister of  
 Education (Wentworth North L)  
 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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No. 76

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**

Wednesday, June 8, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, June 8, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### AFFORDABLE HOUSING

**Mr. Harris:** This government's commitment to affordable housing can be measured by the fact that the average price for a house sold in the Metro area last month was nearly \$233,000, an increase of close to four per cent from the previous month. This latest increase further reduces the already marginal effectiveness of the government's vaunted Ontario home ownership savings plan.

Perhaps some day this government will explain to the 96 per cent of potential first-time buyers who cannot afford to buy a \$200,000 home how it has helped make home ownership more affordable by increasing the land transfer tax and by pursuing inflationary policies which help to drive up mortgage rates. Perhaps the government will explain how adding up to \$2,900 in retail sales tax increases to the cost of a new house is helping to keep home ownership in reach of the middle class. This is simply another of the many instances in which this government's policies conflict with its rhetoric.

The government should spend less time trying to overhaul the rather tattered image and reputation of its Minister of Housing (Ms. Hošek) and more time overhauling its tax policies as they affect the price of housing.

### A HISTORY OF VESPRE TOWNSHIP

**Mr. Owen:** I would like to take this opportunity to present an impressive new book to the parliamentary library, *A History of Vespra Township*. The book contains a vivid history of Vespra township, as well as histories of many of the other communities which border it in my riding of Simcoe Centre.

The supervisory editors of this fine publication have called it one of the most engrossing local histories ever put together in Canada, and I am quick to agree.

Perhaps what is most fascinating about *A History of Vespra Township* is that it is peppered with recollections of its residents, past and

present. These reminiscences provide a refreshing, sometimes hilarious and always interesting look at this rural area of Ontario.

The book is also filled with pictures, giving an exciting glimpse into the province's past. The people of Vespra township are to be commended on this book. It is they, through their far-sightedness, who have preserved the past in such an entertaining and enlightening way. Many of Vespra's residents had a hand in the production of this volume by writing sections, providing photographs or sharing their recollections of the past.

*A History of Vespra Township* is a treasure-house of Canadiana, covering the period between the early 1820s up to 1950. One of the goals in preparing this publication was to bring pioneer history to life. I can assure the members *A History of Vespra Township* does just that.

It is with great pleasure that I present this book to be placed in the parliamentary library, and I encourage all members to have a look at it.

### CFTO LABOUR DISPUTE

**Mr. Reville:** I rise on a point which I think will trouble all members of the Legislature. It has to do with the labour dispute at CFTO.

Members will be aware that the government of Ontario, through several of its ministries, has advertising time on CFTO. I think it is important for the ministers involved to pull those ads until this union-busting has stopped. I know the Ministry of Tourism and Recreation continues to advertise lottery sales. The Ministry of Health has its acquired immune deficiency syndrome campaign running on CFTO. As well, other ministries of this government are participating, perhaps including the Ministry of the Attorney General in terms of some of the public information it puts out. The sexual assault ads would be another example.

I am sure it is possible to suspend those ads, under the terms of the contracts the government, through its ministries, has with this network. I think it is totally inappropriate for this government to be seen to be in any way condoning or conniving in this outrageous union-busting.

### SEXUAL ASSAULT

**Mr. Jackson:** Tomorrow, during private members' time, I will move a resolution that calls



for a legislative committee to investigate all aspects of the problems of sexual assault in Ontario. The committee would hear testimony from victims of sexual assault to get their views on the way the system does or does not work.

One area in which women must be allowed to speak out is the gross difference between the treatment of criminals and the treatment of victims. Members will agree that both criminals and victims require counselling, but who pays for what? The Ministry of Correctional Services employs 96 social workers at an average of \$500 a week and 60 psychologists and similar professionals at \$50,000 per year in order to counsel those convicted of crimes.

For sexual assault victims, however, only crisis counselling—that is, counselling immediately following the attack—is free. I have already documented financial difficulties facing the centres which provide this initial service. These women must pay for all future counselling themselves.

My motion would let MPPs hear how victims feel about this inequity and how they feel about the fact that their assailants contribute nothing to their medical and counselling needs. Perhaps committee members will decide to look into the Compensation for Victims of Crime Act and consider ways of forcing criminals to pay their fair share of the damage they have done.

I ask all members to support this resolution in a nonpartisan spirit of co-operation.

ALLISON HIGSON

**Mr. Callahan:** It is with some pleasure and great pride that I rise today to salute a citizen of the city of Brampton, a very excellent athlete. I delayed making this statement on her behalf because this young lady seems to win competition after competition. If one makes a statement today, she will probably win another one tomorrow.

I speak of Allison Higson. This 15-year-old young lady is a pupil at J. A. Turner Secondary School in Brampton. She swims the breast-stroke and, just recently, she broke a world record in the 200-metre breast-stroke. I had the occasion to present her with a number of awards for excellence that she achieved in the Commonwealth Games approximately a year and a half ago.

I rise because this young lady, being 15 years of age, does us proud, not only as residents of the city of Brampton but also as Canadians and Ontarians. I have no doubt whatsoever that she

will represent us with great pride and dignity in the Seoul games.

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## HERITAGE LANGUAGES

**Mr. R. F. Johnston:** I am pleased that the present Minister of Education (Mr. Ward) and the past Minister of Education are both here in the House today for that splendid anniversary of the announcement of A Proposal for Action: Ontario's Heritage Language Program, announced by the then minister, the member for Renfrew North (Mr. Conway), a year ago.

Submissions were all to be in by October. They were all compiled in this report that I have, which was leaked to me. It was written in November of last year and was given to the minister in December. Besides a few petitions and form letters from people, there were not that many responses to be brought together.

Yet here we are with a large response in favour of a mandated program of heritage languages, as was proposed in the yellow paper, being supported out there in the community—with a few caveats, but generally the community is in favour—and a year later we still have no indication from the new minister or from the old minister as to when this government thinks it would be appropriate to improve the heritage-language programs in Ontario in such a way that we might make some major steps towards really having an antiracist and more rational and understanding kind of multicultural program in those schools.

But it is a wonderful day, is it not?

## UNIVERSITY FUNDING

**Mr. Jackson:** Yesterday, in the Toronto Sun, we were shocked and saddened to read that the Premier (Mr. Peterson) has rejected the recommendations of the recent underfunding report by the Ontario Federation of Students.

The 250,000-member OFS; its outgoing chair, Sheena Weir; its chair-elect, Shelley Potter, and its excellent and professional research staff should be commended on this insightful and well-written look at the disgraceful manner in which this Liberal government has been funding our post-secondary institutions.

The English title of the report is Cut to the Bone. While I think it is appropriate, I would refer members to its French version, Un système en ruine, a system in ruins. That just about says it all.

Applications to universities were up by seven per cent in 1987 and 12 per cent in 1988. I point



out that many of these applications are from women, members of visible minorities and groups that have faced systemic discrimination for many years.

Operating grants have not kept pace with these increases. In fact, for the past decade, they have not even kept pace with inflation.

The Premier makes much of the Premier's Council and its goals of turning Canada into an internationally competitive, world-class society. He cannot do that unless universities and colleges are adequately funded. Right now, despite his grandiose statements, his financial commitment to post-secondary education shows, as the member for Cambridge (Mr. Farnan) says so often, "The emperor has no clothes."

#### CFTO LABOUR DISPUTE

**Mr. B. Rae:** On a point of order, Mr. Speaker: I want to raise the question of the involvement of the Legislature in electronic strikebreaking.

The Speaker will no doubt be aware that the management at the television station in Toronto, CFTO, has locked out its employees in the bargaining unit and is refusing to bargain with them. The Speaker will perhaps not be aware that facilities here have been used by CFTO in order to do some editing and to send that material on to the station during the course of this lockout by the management at CFTO.

Mr. Speaker, I wonder if I might ask you to have a look at what use is being made of facilities here by the station. Under our television guidelines, I note that the audio-videotapes which are produced by the Legislative Assembly may be shown by television stations and/or cablecasters live or by means of recordings.

There is a separate question which I am referring to you, and that is the question of the use of facilities here for editing purposes; that is to say, the use of facilities here in a manner that would affect the dispute which is ongoing between the management at CFTO and the trade union involved.

Obviously, this is even more important by virtue of the fact that what is happening here is a lockout, not a strike, and that management is at this point still refusing to bargain with the employees in the bargaining unit.

**Mr. Speaker:** I appreciate the matter that has been brought to my attention by the Leader of the Opposition and I will certainly do as he requests.

**Mr. B. Rae:** Boy, that's a first.

**Mr. Speaker:** Quite usual.

#### STATEMENTS BY THE MINISTRY

##### PERSONAL PROPERTY SECURITY

**Hon. Mr. Wrye:** Later today, I intend to introduce a bill to revise the Personal Property Security Act. The Personal Property Security Act is a key piece of legislation that provides a comprehensive set of rules to govern the rights of both the lender and borrower when personal property is used as collateral in a transaction.

The proposed amendments are intended to improve the system whereby secured lenders can protect themselves by recording notice of their security interests. For example, when a purchaser buys a vehicle and uses it as collateral, the lender is, in fact, taking a security interest in the car to ensure maximum legal protection for repayment of the loan. Prospective lenders and purchasers can also protect themselves by carrying out searches in the system.

The proposed bill also includes provisions to enhance consumer protection by providing solutions to common problems faced by buyers and debtors.

Registrations relating to consumer goods will have to be discharged within 30 days after all obligations under a security agreement have been performed or forgiven. Additional consumer protection amendments would ensure that consumer buyers can rely on motor vehicle identification number searches.

The major change in the bill I will be introducing is the repeal of the Corporation Securities Registration Act. The intent of the repeal and other complementary amendments is to integrate and clarify the law relating to security interests in personal property. No longer will we need a separate system for registering corporation securities that are pledged as collateral.

The proposed legislation also includes the repeal of the Bills of Sale Act. Such a repeal would prevent the situation where a bankruptcy threatens to leave buyers high and dry. Members will recall the recent case where boat buyers were prevented from taking possession of their boats after they had paid for them in full and stored them in the boat builder's yard. When the boat builder declared bankruptcy, a technicality in the law allowed the boats to be deemed to be part of the builder's property. The repeal of the Bills of Sale Act will eliminate such unfortunate situations.

Since it became law in 1976, the Personal Property Security Act has been monitored by an advisory committee to the Ministry of Consumer and Commercial Relations. During the past 12



years, the committee has conducted an extensive examination of similar acts in other provinces and countries, heard representations from interested persons and comments from members of the bar and examined existing jurisprudence under the Ontario Personal Property Security Act. Over the years, my ministry has participated in the advisory committee's deliberations.

At this point, I wish to thank Fred Catzman for the professionalism he brought to his task, both as chairman of the committee which drafted the original personal property legislation and as leader of the advisory committee on the new bill. I want to draw the members' attention to the gallery, as Mr. Catzman is with us today. I would ask him to stand.

The research and work of the committee produced more than 200 suggested amendments. The bill as it stands is closely based on the excellent work of the committee.

Later today, I will also be introducing a related bill, the Repair and Storage Liens Act. This proposed legislation has been jointly developed by my ministry and the Ministry of the Attorney General and will result in the repeal of the Unclaimed Articles Act, the Warehousemen's Lien Act and the Mechanics' Lien Act.

In many cases the present law is unclear and vague and creates problems for repairers, customers and those who store their goods. In addition, no adequate procedures exist to resolve disputes concerning the repair and storage of articles. In an effort to resolve these problems, a discussion paper on the Repair and Storage Liens Act was circulated by the Ministry of the Attorney General in 1985. Today's bill reflects constructive suggestions offered by the industry.

In particular, the proposed legislation provides for the creation of a nonpossessory lien which will enable repairers and storers to release an article but still retain a lien against it. Notably, this occurs in cases where articles are repaired on an owner's premises. These nonpossessory lien claims will be registered in the personal-property-security-registration system.

In closing, I believe creditors and other commercial users of the personal-property-security system will benefit from the streamlining of the legislation and consumers will benefit from new measures to facilitate consumer loan registration.

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### FOREST FIRES

**Hon. Mr. Kerrio:** I would like to report on the forest-fire situation in Ontario. The member for

Lake Nipigon (Mr. Pouliot) has shared some of his observations with me and I would like to report as follows.

I would like to bring members up to date on the forest-fire situation in Ontario. Right now, there are 80 fires burning throughout the province. So far this year there have been 841 fires and they have consumed more than 65,000 hectares, some 151,000 acres.

The conditions in the north continue to be serious. Much of our northern forests are tinder-dry and temperatures are above normal.

My ministry's fire crews are doing everything possible to protect life and property. They are receiving valuable assistance from support groups, including 24 native crews trained in firefighting. In areas where communities are threatened, the situation is being carefully monitored.

I should mention our efforts in the far north, where there have been 24 fires under observation. Our district managers and our fire-behaviour specialists are monitoring these fires and are in close communication with these northern communities.

Where the situation warrants action, we are ready to move in to protect people and property in communities in the far north and in outpost camps.

For example, on Sunday four families were evacuated by helicopter from a remote community on Kashechewan reserve on the western shore of James Bay. Six private cabins were destroyed in the Bad River area near Sudbury. This fire is now under control and crews managed to protect a nearby lodge.

Our firefighting resources are spread very thin because of the number of fires. We are extremely grateful to other jurisdictions for the significant support they have given us with equipment and personnel under the mutual aid resource-sharing agreement. We have been provided with 11 aircraft, including eight CL-215 water bombers, from Newfoundland, the Yukon, the Northwest Territories and Alberta.

The extreme weather and burning conditions have led me to declare a restricted fire zone across virtually all of northern Ontario. It will be in effect until June 13 in most northern areas. A restricted fire zone currently in place over my ministry's northwestern region terminates on June 10, but that one is still under review.

I cannot emphasize strongly enough that we need the full co-operation of the public to help us through this difficult situation. Human carelessness has caused a significant number of the fires,



especially in the last few days. We need the co-operation of the public to prevent more fires.

## RESPONSES

### FOREST FIRES

**Mr. Wildman:** In response to the statement by the Minister of Natural Resources (Mr. Kerrio), we appreciate the efforts that are being made by the ministry staff and the volunteer crews to fight fires across northern Ontario. We are experiencing a serious drought, in the northwest particularly. It is a very difficult situation.

I appreciate the comments made by the minister with regard to the aircraft and other equipment sent in from other provincial jurisdictions. I hope, though, that the minister will assure the House that we will not have a repetition of the situation we had during the serious fire in the northwest a few weeks ago, when our own water bombers were under maintenance and were not available to fight the fire and we had to bring in equipment from elsewhere. Surely we can ensure that our own equipment is being used as well as the equipment from other jurisdictions.

### PERSONAL PROPERTY SECURITY

**Mr. Swart:** We have before us today three statements by the Minister of Consumer and Commercial Relations (Mr. Wrye). It would appear, on a quick reading of these, that they will enhance the protection to consumers and provide for greater security for those people who have purchased products, etc. However, either to criticize these to any greater extent or certainly to applaud these bills at this time, before one has a chance really to read the legislation, would be premature. We will have a lot more to say on them on second reading.

### FOREST FIRES

**Mr. Pollock:** I want to comment briefly on the report by the Minister of Natural Resources (Mr. Kerrio) on the firefighting in the north. I do not doubt for one minute that it is a major problem, especially when the forests are so tinder-dry. Anything the general public can do to prevent forest fires would certainly be appreciated.

The fact is also appreciated that under the mutual-aid situation we have 11 aircraft in the province from different provinces and territories fighting these forest fires. We always appreciate the help of those other provinces.

Let's face it, though, Ontario is by far the largest province and has a vast timber resource,

so we should have the best fire protection and best fire equipment in the country. It is my understanding too that the other provinces do not have to send their aircraft to help another province. They have the option of having 48-hours' notice. But in the case of a forest fire, there should be no 48-hours' notice. It should be down to maybe 48 minutes because, after all, if you let a forest fire get out of control, it is pretty hard to bring it back under control.

It is a major concern to me. I have often wondered in regard to the people who start forest fires, either deliberately or through carelessness, whether there is ever any attempt to prosecute them. After all, we are losing millions of dollars worth of valuable timber. I just want to put those comments on the record.

**Mr. Harris:** To the Minister of Natural Resources: I would hope that while there is the forest-fire threat and the very severe crisis in northern Ontario is on, his new policy of allowing Liberal back-benchers to requisition MNR aircraft to tour their ridings has been suspended.

Interjection.

**Mr. Harris:** Methinks the minister doth protest too much. He is a little sensitive about this. I have not had an answer to the question that I asked the minister two days ago. All I am saying is that if this is his new policy, perhaps it should be suspended during forest-fire season when the threat is so bad.

### PERSONAL PROPERTY SECURITY

**Mr. Runciman:** I have a brief response to the statements made by the Minister of Consumer and Commercial Relations (Mr. Wrye). I am not going to respond in any substantive fashion to the statements just put in front of us a few moments ago, but the common theme is obviously consumer protection. I guess we all appreciate that there is a great deal of political appeal or sex appeal in respect to consumer protection. I also want to remind the House of numerous antibusiness initiatives of the current government and the previous government in accord with its friends to our right.

I also remind the minister that the vast majority of businesses, especially small businesses operating in this province, have built their reputations on fair dealings with consumers. I remind the minister of that and suggest that in future bills that we expect to be tabled in this House dealing with the Consumer Protection Act, he keep in mind that the businesses of this province are, by and large, good businesses and have done well in



terms of their dealings with this province. I ask him to keep that in mind.

## ORAL QUESTIONS

### AFFORDABLE HOUSING

**Mr. B. Rae:** I have a question for the Premier, who is making this city of Metropolitan Toronto a playground for the rich and famous in which working families cannot afford to live, cannot afford to buy a house and cannot afford to stay here.

The most recent figures show that the average price for a home in Toronto is now \$232,000, which is a 75 per cent increase over the last two years. His government has rejected every proposal that has come from this side to deal with this incredible skyrocketing of housing prices for families in this city.

I would like to ask the Premier once more, given all the community pressure to do something, why does he continue to resist the commonsense approach which would say that where there is speculation, simply tax it so it does not happen?

**Hon. Mr. Peterson:** I am surprised the honourable member would raise that question today. I assume he saw the figures of yesterday, indicating that the heat is somewhat out of the market.

Interjections.

1400

**Hon. Mr. Peterson:** The members opposite may not agree with that. In fact, sales were down some 38 per cent last month and the high growth rate of the past few months has changed. I think your question is less timely today than it may have been at some time in the past.

**Mr. B. Rae:** I cannot believe that a Premier would be so callous and show such lack of understanding of what working families are facing in this city as to say that an increase of over three per cent in one month represents what he calls a cooling down of the situation, that it is no longer heating up. That shows a complete lack of understanding of what working families are having to go through.

Does the Premier realize that what this figure of over \$232,000 means is that a family has to be making over \$80,000 before a bank or a financial institution will even consider granting a mortgage? Does the Premier feel that a housing situation which restricts housing to people making over 80 grand is something he considers acceptable in Ontario today?

**Hon. Mr. Peterson:** The honourable member's figures are correct in that regard. We recognize there has been substantial heat in the housing market, as there has been in other areas. Vancouver is another one. I say to my honourable friend that if he would look at the facts that were revealed yesterday, his figures are wrong. I do not think it is three per cent; I think it is less than that. It says there is a downward trend in this regard and we hope it will continue.

**Mr. B. Rae:** The average resale price in May over April has gone up 3.9 per cent. That is the average resale price. That is on a monthly basis. I say the Premier does not understand what that does to working families. If he thinks this is cooling down, if he thinks this is OK and as far as he is concerned it is just a sweet headache, why would he not at least meet with those citizens who make less than \$80,000 per year, who are locked out of his rich-and-famous-lifestyles city, which is what he is creating, a city where rich people can live and where everybody else has to struggle? That is the Ontario he is building. I hope he is proud of it.

**Hon. Mr. Peterson:** I meet with people regularly. I bet I meet with a lot more than the member does. I met with some in his riding yesterday who were very charming, actually.

**Hon. R. F. Nixon:** A little bit dissatisfied with the representative.

**Hon. Mr. Peterson:** They were not happy with the local leadership but were very happy with the leadership of this province.

### NATIVE HEALTH SERVICES

**Mr. B. Rae:** A question, by way of contrast, to the Attorney General, who is also responsible for native issues in the province today. My colleagues from northern Ontario conducted some hearings across the north last week, where they heard representation from several native groups on the very profound concerns about the quality of care in native communities and the fact that access to medical care and basic health conditions are not at all spread evenly across the province.

The minister will be aware that life expectancy in the north is 10 years less than the average in Ontario and that the suicide rate among young people is six times as high as the national average. He will also be aware that there is an incredible lack of services on the reserves themselves, as well as a lack of services for native people in many communities.

Can the minister tell us what responsibility he takes for the delivery of health care, either on the

reserves or off the reserves, and precisely what he is prepared to do to see that health care is made more accessible and more equal across the province for our native people?

**Hon. Mr. Scott:** On many reserves, though I do not believe on all, health care is a service provided by the federal government under the Department of Indian Affairs and Northern Development. Off reserve, we provide those services in some locations and we supplement federal services from time to time. Off reserve, of course, the native population of Ontario is entitled to access to medical services just as any other Ontarians are.

I am aware of the problem the honourable member refers to and I have met with a large number of native people and have regarded it as my responsibility to take up their concerns with the Minister of Health (Mrs. Caplan), who is responsible for health services in the province.

**Mr. B. Rae:** The minister may not be aware that there is now, at Lakehead University, a native nurses' entry program which is the only program in northwestern Ontario which deals specifically with the needs of the community from a nursing standpoint and which encourages native people to get the training. What steps is he prepared to take to ensure that funding is guaranteed after March 1989 for this program? He should be aware that funding is not guaranteed and that, in fact, funding for the program is threatened.

**Hon. Mr. Scott:** I have met with a number of native organizations in the north and that particular concern has not been brought to my attention by them. I will be glad to look into it and see what we can do to respond to the concerns the honourable member has.

Just in passing, I want to make plain that native people, particularly in northern Ontario, have reason to have real concerns about the provision of services. We have faced, as they have faced on the ground, a major retreat by the federal government in respect to funding, and the province is trying to fill the gap where federal obligations have been abandoned or short-changed. We are keeping an eye on that and doing what we can to meet what is a very real need.

**Mr. Pouliot:** Need I remind the minister that our first Canadians are also our first Ontarians? With respect to the minister, they have had it up to here when they have to listen, whether it is to a provincial jurisdiction or a federal jurisdiction. Reality or not, the thing is that the minister responsible for native affairs has a responsibility.

To hide under the umbrella of jurisdiction does not wash well. What we are asking is that native people be given treatment that is humane, fair and just.

More specifically, by way of a question, will the minister undertake to provide translation services in northern native health care institutions so that people can relate to one another in their own language?

**Hon. Mr. Scott:** I do not accept the premise of the honourable member's question. I agree, of course, that native people in Ontario are Ontarians, and we have an obligation to them, as we have to every other citizen. But, as the honourable member will know, native people on reserves do not want provincial governments to take over responsibilities that are traditionally performed by the federal government under the Indian Act.

An interesting example of that is when the federal government began to back off the provision of costs for native policing. My colleague the Solicitor General (Mrs. Smith) offered to make up the deficiency so that our contribution for native policing would be larger than the federal contribution. The native organizations that meet with us regularly in the Indian Commission of Ontario rejected that proposal, even though it meant the native policing program could not expand, because they expect and rely on the statutory and constitutional obligation of the federal government to provide these services.

We do everything we can to provide the backup, and I can see that there is a great unanswered need to which we are responding. But we have to respect, on reserves particularly, the wish of the native people, which is that the federal government, which has the constitutional obligation, should not be displaced by the provision of provincial programs.

#### ACCESS TO INFORMATION

**Mr. Brandt:** My question is for the Premier and it relates to a situation that developed on May 14, where the Toronto Star requested information of the Ministry of Community and Social Services with respect to the matter of profit and nonprofit day care centres. As a result of this particular request made by that newspaper and the information that was provided, could the Premier advise this House whether that information was requested under the Freedom of Information and Protection of Privacy Act?

**Hon. Mr. Peterson:** I have absolutely no idea, but I gather the Minister of Community and Social Services (Mr. Sweeney) does, as usual.



**Mr. Speaker:** Referred to the Minister of Community and Social Services.

**Hon. Mr. Sweeney:** To the best of my information, it was.

**Mr. Brandt:** I am not too sure what that means. It was?

**Hon. Mr. Sweeney:** It was requested under the Freedom of Information and Protection of Privacy Act.

1410

**Mr. Brandt:** In light of the manner in which that particular situation was handled, I say to the minister, since the question has been referred to him, my information is that the newspaper requested the study and in fact, as I understand it, provided his ministry with the questions for the study; and that the ministry then went out and hired a consultant to respond to those questions that were provided by an independent business, namely, the Toronto Star newspaper, and that all this was done at taxpayers' expense.

I have some difficulty, I want to tell you, Mr. Speaker, and I say this to the Premier (Mr. Peterson) and the members of the government, when a colleague of mine asks for information from this government under freedom of information and is told he is going to have to pay for it, when exactly the reverse happens when a newspaper requests information of the ministry and it hires a consultant at some substantial expense to provide that information. Does he think that is consistent with the spirit and intent of freedom of information?

**Hon. Mr. Sweeney:** I wish to change the record. I was just sent a note by one of my staff, and it was not requested under that; but I can also speak to the other part.

**Mr. B. Rae:** It was just leaked.

**Hon. Mr. Sweeney:** Sorry; I have corrected it, period. I think that is something we should do once in a while around here.

To speak to the particular issue the honourable member has raised, and it is a valid one, all the information was in our files. When we received those questions, we realized they were questions to which we ourselves should have had the answers and did not. Consequently, the information was just as useful to us as it was to somebody requesting it. We believe we collected it as much for our own purposes as anyone else's and therefore did not feel it was proper to charge for it.

**Mr. Sterling:** I find it a little bit ironic that yesterday I received a response from the minister to a question I raised with him regarding some

documents on February 15. It took him 112 days to respond to my request; and in the response I received basically government documentation which had been printed. I got a copy of this particular publication, some speeches of the minister. That took 112 days. I thank the minister for not charging me, as his other colleague has chosen to do.

**Mr. Speaker:** Supplementary.

**Mr. Sterling:** I find it a little ironic as well that he is treating different requesters in different fashions. Does the minister consider that an elected representative of this Legislature should be treated in a detrimental manner when a profit-making corporation requests information from him and he goes out and hires a tax consultant? He actually paid money to do work for them, whereas he will not pay money or even supply the services to an MPP to receive information he should be entitled to.

**Hon. Mr. Sweeney:** To the best of my information, the information the member had requested was delivered to his office yesterday. I distinctly remember signing the letter. We broke it down into two sections. I have apologized to the member in the past, and I do so again, for the length of time.

The difficulty was that we had a significant amount of information dealing with the issue. We had to make a judgement call within our ministry as to which of that information was advice to cabinet, which is exempt, and which was not. I clearly indicated in that letter, and I think the honourable member can verify this, that we gave him every bit of information we had that was not under the heading of advice to cabinet, all those pieces of information. There were specific references to the act, sections and subsections of the act. As to those sections that were directly advice to cabinet, I indicated I could not give it.

With respect to the cost part, in terms of the actual information we provided to the member, the amount was relatively small; I think it was \$20 or \$25. Under section 57 of the act, I think it is, I made a judgement call not to charge, as I am permitted to.

#### DOCTORS' SERVICES

**Mr. Eves:** I have a question for the Premier. Both the Premier and the Minister of Health (Mrs. Caplan) have been quoted in the media recently as indicating that there are too many doctors in Ontario. In the Premier's view, are there too many doctors in Ontario?

**Hon. Mr. Peterson:** If you look at the world health statistics, we have an ample number of doctors. We had roughly a five per cent increase last year, as the member knows, and manpower discussions are ongoing with the Ontario Medical Association. What we have to do is plan in the long term in this regard, and we are in the process of doing that.

**Mr. B. Rae:** Does that answer your question?

**Mr. Eves:** Yes, that answers the question; and as usual, it does not answer the question, as I am sure everybody is aware.

The question is: in the Premier's view, are there too many doctors in the province or not, yes or no? He has indicated that there are ongoing discussions with respect to this manpower situation, as he puts it. Yes or no, are there too many doctors?

**Hon. Mr. Peterson:** I think the system is under control at the moment, but obviously we are looking at the long-term projections and the manpower needs. We do know that physicians here tend to drive the system in terms of costs. Physicians are going up something like five per cent a year even though the population is only going up one per cent a year. We talked yesterday about the distribution problems we have with the medical profession, and that is an ongoing problem we are dealing with.

Obviously, an effective health care system has to have well-trained physicians and a planned manpower system so that we are getting maximum efficiency, and we are doing that.

**Mr. Eves:** I think we all appreciate that there are some distribution problems with respect to doctors, but it might help if the Premier had indicated where there are too many doctors in the province, if in fact he is hinting that there are too many doctors in the province and that their numbers should be controlled. He says they are discussing limiting or putting limitations on the services they can provide or where they can provide them or how many of them there are.

We have a lot of emergency wards throughout hospitals in this province with lineups of patients waiting to see a doctor. Is the Premier telling me now that Ontario is considering a quota system for doctors or rationing of health care services in the province? Is that what he is saying?

**Hon. Mr. Peterson:** No, I am not.

Interjections.

**Mr. Speaker:** Order.

#### NORTHERN HEALTH TRAVEL GRANT PROGRAM

**Miss Martel:** Given that the Minister of Health (Mrs. Caplan) is not here today, I have a

question for the Premier concerning the northern health travel grant. The grant was established to financially aid northerners who are referred to larger centres for medical treatment because those same services are not usually available in their own communities.

In northwestern Ontario in particular, most communities do not have any form of specialized medical care, so residents are constantly forced to seek that treatment elsewhere. However, the travel grant is only available to people who must travel more than 300 kilometres one way to seek medical attention.

I am wondering if the Premier can respond to the situation in Atikokan, for example, where members of the Sportak family must take their father to Thunder Bay three times a week for kidney dialysis. The travel one way is only 190 kilometres, so they do not get the grant. However, the family has already spent over \$1,000 since February 1988 to take their father to Thunder Bay for this essential care.

I am wondering if the Premier can tell us what he is going to do for this family and others like it in northwestern Ontario.

**Hon. Mr. Peterson:** I appreciate the honourable member's suggestion, and as she knows there have been other suggestions, in the Kenora area, with respect to travel to Winnipeg and other places. As I am sure my honourable friend will know, the 300 kilometres was, shall we say, an arbitrary figure. Her suggestion presumably is that it be lowered to some other figure, and I will take any advice she has under advisement. Obviously, we will take seriously any advice the committee has for the government and will look at the suggestions.

**Miss Martel:** There is another part of the grant that is also particularly ridiculous; it concerns the escort criteria. An escort is reimbursed for medically necessary travel if she or he accompanies a patient who is under 18 years of age.

I wonder if the Premier can comment on the case of a 38-year-old blind man in Red Lake who was referred to Winnipeg for an ophthalmological consultation. As the Canadian National Institute for the Blind in Winnipeg was unable to make arrangements to pick him up at the airport and take him to the consultation, he had to arrange with a friend to go to Winnipeg with him in order to make the consultation. When the friend applied for reimbursement for the travel grant, he was denied the grant because the blind man was over 18 years of age. I am wondering what the Premier is going to do to rectify this type of situation in northwestern Ontario.



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**Hon. Mr. Peterson:** I appreciate the honourable member's bringing that to my attention. I do not have a quick answer for her, but I will obviously discuss that with the minister and see if there are ways we can sensibly implement a program that, on balance, is working fairly well.

#### RETAIL STORE HOURS

**Mr. Sterling:** I have a question for the Attorney General, if he would pay attention, regarding Sunday shopping.

In the Attorney General's factum to the Court of Appeal with regard to the Magder case, he said that a uniform pause day was needed to allow the pause day of retail workers to coincide with that of their children, spouses and friends. He went on to say that a quality common day of recreation was needed for as many of Ontario's citizens as was possible.

Does the Attorney General believe that the current legislation before this House to delegate the power over this particular matter to the municipalities will result in more or fewer citizens of Ontario enjoying a common pause day?

**Hon. Mr. Scott:** I believe—and that is the situation, because it is impossible to answer effectively with the statistics at hand—that under the present legislation the chances are excellent that more people will enjoy a common pause day than is now the case.

Interjections.

**Mr. Sterling:** That is pretty hard to believe.

I would also like to point out that the same factum says, "Employees in the retail sector were viewed as being in need of a statutorily mandated day of rest. Without such a regulation prohibiting Sunday openings, the vigorous competition for market share would force many retailers to open." It goes on to say, "As a group retail workers are not 'in an economic position to negotiate a satisfactory financial arrangement for Sunday work' and are 'subject to subtle economic pressure to work particularly in large establishments where employee resistance to management decisions to open would be met simply by replacing the resisting employee.'"

In the light of the Attorney General's very own statements as to what is going to happen—more retail stores are going to be open, more employees are going to be required for Sunday shopping—how can he continue to support legislation when it goes against the very position he put forward to the Court of Appeal?

**Hon. Mr. Scott:** As a matter of fact, it does not go against the very position, as my friend calls it, that is in the factum. The factum suggests that if a certain result is not achieved in the court, there may be certain labour consequences. That suggestion was made before I was aware of the proposal that the Minister of Labour (Mr. Sorbara) has before the House in the form of the companion bill, which for the first time in Ontario is going to provide some worker protection for people in respect of a common pause day. Frankly, I did not have that ingenious solution to the problem in mind when we did the factum.

#### PUBLIC SECTOR PENSION PLANS

**Mr. McGuinty:** I have a question for the Treasurer. On February 11, 1988, the Treasurer released the report of the Rowan Task Force on the Investment of Public Sector Pension Funds and the Coward Report to the Treasurer on Financing Benefits under the Superannuation Adjustment Benefits Act and Associated Superannuation Plans. At that time, a review was ordered of both reports. Can the Treasurer give a status report on the review to members of the Legislature and to concerned pensioners across Ontario?

**Hon. R. F. Nixon:** I thank the honourable member for giving me notice of his question. I want to report to him and to the House that Dr. David Slater has been commissioned by the Treasury to hear the views of those organizations and, to some extent, of individuals directly affected, and that his review of this is ongoing.

As a matter of fact, I believe about a week ago he had a special meeting in which representatives of the Ontario Teachers' Federation, and the public servants as well as, I believe, employees at Ryerson Polytechnical Institute and others affected, were brought together with pension experts so they could consider what the ramifications were of the recommendations in the two reports the honourable member refers to.

**Mr. McGuinty:** First, I commend the Treasurer for his choice of Dr. Slater, who is a neighbour of mine, a resident of Ottawa South, a riding that was Tory for 43 years prior to last September.

When does the Treasurer expect that he will be able to table Dr. Slater's report in the Legislature?

**Hon. R. F. Nixon:** The letter in which Dr. Slater was asked to undertake this review indicated we would expect his report about the end of July, on July 31. I would hope that would

be made available to the general public, certainly to members of the Legislature, as soon after that as possible. The government policy will be announced after we have had a chance to see his recommendations.

I am looking forward to the report, as I believe some of the information that has been disseminated, to teachers particularly, has been somewhat misleading. Some of the honourable members may have noticed they have had letters on behalf of the teachers, who are of course large contributors to the superannuation plan, indicating a very healthy concern, but in some instances based on inappropriate and incorrect information. I want to make Dr. Slater's review of that report available as soon as I possibly can.

### SPEECH THERAPISTS

**Mr. Hampton:** In the absence of the Minister of Health (Mrs. Caplan), I would direct my question to the Premier. Virtually every community in northern Ontario urgently needs the services of a speech-language therapist, either in their schools or in their communities.

The long-term consequence of not having trained speech-language therapists is that young children often fail academically and often end up with social problems which can lead to unemployment or perhaps even incarceration. The long-term result is that it costs our social support system and our health care system a lot more to deal with the eventual social problem than it would cost to train and provide speech-language therapists.

I wonder if the Premier could give some commitment, or some indication of a commitment, that the needs of so many of these communities in northern Ontario for speech-language pathologists will be met.

**Hon. Mr. Peterson:** I am aware of the need. I remember the former member for Port Arthur used to speak eloquently about this matter.

As I recall, and the honourable member can correct me if my facts are wrong, we have in fact doubled the number of bursaries available for people from the north to study in this particular regard. I believe the government has started to move to correct this problem.

**Mr. Hampton:** The solution the Premier has referred to is in fact exactly the solution that so many communities across northern Ontario refer to as a Band-Aid solution. The simple fact is that you can use the bursary only to go to school here in Ontario and there are not enough positions in Ontario schools, so many people who want to be

trained as speech-language therapists cannot use the bursaries.

Let me give just a further example. There are all kinds of native reserves where you will find children with speech disabilities, and the needs are not being met. I wonder if, to deal with this urgent need for so many native and non-native communities, the Premier would give a commitment to establish a training program at one of the northern Ontario universities to train speech-language therapists.

**Hon. Mr. Peterson:** My recollection, and I could well be wrong, is that the bursary program applies to certain institutions in the United States which are in fact closer. I could be wrong in that regard, but I will consider any suggestion the honourable member has.

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### COMMUNITY SAFETY

**Mrs. Cunningham:** My question is for the Premier. On April 28, I first raised the issue of a young girl who was brutally attacked in London on March 31. I have been informed recently by Ministry of Health officials that two outside firms are being interviewed to assess hospitals that have Lieutenant Governor's warrants and that interviews will not be completed until next week. Their report will not be ready for the public until the fall, more than six months after the brutal attack occurred. This is much too long, I am sure the Premier will agree.

Considering this information, will the Premier re-evaluate the situation and use his authority to request that the Provincial Auditor move quickly to be involved and complete this report?

**Hon. Mr. Peterson:** I think the matter has been attended to in a judicious and thoughtful way. I understand the nature of the event, coming from the same community, and the brutal attack, and I understand the emotional reaction to that as well. I think the government is dealing with it in a thoughtful, measured and considered way and not just creating a situation or fear that is not necessary in the circumstances.

**Mrs. Cunningham:** If I thought this was the most efficient and thoughtful way, I would not be standing here asking the question. We have looked at the alternatives. The auditor can get involved and he can complete this review more quickly, I can assure the Premier. This brutal attack occurred in London Centre, in the Premier's own riding and in our city. I know he does care and I know he wants to do as much as he can to solve this problem and make London a safer place, as well as cities across our province.



The city council did submit a resolution requesting that all passes for those individuals being held under a Lieutenant Governor's warrant be suspended. I am not going to ask the Premier to do that because I think these persons have a right to be treated and there is that part of the argument.

I ask the Premier, what can he do personally? Is there anything more that he can do personally to make certain this review will be completed as soon as possible, because October is too late? I am sure he does agree to that. When we do get the review done, if the Premier can intervene in some way will it be made public?

**Hon. Mr. Peterson:** This was a terrible incident in our own community and there is not a parent or anybody who did not have a violent, emotional reaction to this. If any one of us put ourselves in that same position, it would be an unbearable situation. I understand that. There are other incidents like that in politics as well, and I am sure my honourable friend will agree with that. We have to take as thoughtful an approach as we possibly can.

My honourable friend may argue that the review is taking too long. There is no desire to elongate this hearing at all, but only to make sure it is thorough, thoughtful and responsible and not just an emotional reaction, as would be normal in the circumstances. We want to make sure our system is fair, that it prevents this kind of thing, hopefully, ever happening again.

On the other hand, there have been some successes in the program, I am sure my honourable friend recognizes that as well; but I think, as responsible legislators, we have to approach it in that regard. We are trying to do that and we will share the results with our friends opposite and elicit their best judgements on how to prevent this from ever, ever happening again. It is a blotch on the system. There is no question about that. We have to ask ourselves, does that mean the entire system should be discarded? How can we prevent this ever happening again? We need thoughtful people to assist us in that regard.

#### SERVICES FOR THE DISABLED

**Mr. McClelland:** I have a question today for the Minister without Portfolio responsible for disabled persons. The minister will be aware, obviously, of the fact that we just came off a week where we tried to draw national awareness to the issue of accessibility.

In the light of an attempt to make homes more accessible, in January 1987, the ministry an-

nounced a program in co-operation with the Easter Seal Society to provide funding to make homes for parents of children and disabled people more accessible, with fewer barriers in the home.

The minister will also be aware of Mr. and Mrs. Lariviere in my constituency, who applied under that program and who, having received very positive signs that they were on the road for funding, were advised that the funds had run out. Some nine months into the program, they were advised that they were not eligible. The minister knows a little bit about that. I wonder if he would be able to explain why they were not allowed funding for making their home barrier-free for their child?

**Hon. Mr. Mancini:** The honourable member is referring to two separate grants that the Office for Disabled Persons gave to the Easter Seal Society, the most recent grant being \$1.1 million, which was given in December.

The program is fully administered by the Easter Seal Society. It has regulations and guidelines. I should say that the honourable member has made numerous phone calls to my office and has also written on behalf of this family. I think he has given his constituents outstanding representation.

When the application was first received in the office run by the Easter Seal Society, it was not known at that time that the money was intended to be used for a new home in Ajax and not for the family home, which is in the member's constituency.

**Mr. McClelland:** In the light of that response, and I recognize that this turned on the new home issue, I want to draw the minister's attention to the agreement drawn up by his ministry with the Easter Seal Society.

It refers specifically to the purchase and sale of dwelling units. Obviously, we are looking at second acquisitions; so a person contemplating moving can apply. Moreover, the application says that any parent of a disabled child who owns their home—and ownership includes prospective ownership—is eligible to submit an application.

Furthermore, the criteria set out that a change, modification or addition, "provided that the addition does not result in the creation of a self-contained unit"—those are the words—that makes it ineligible.

At first blush, I read that to mean the creation of an apartment. I think most reasonable people reading that would also. In the light of the fact that it excludes new homes—we talk about long-term planning; a new home can be made

barrier-free for some \$8,000, \$9,000 or \$10,000 less—would the ministry consider reviewing the agreement with a view to doing some long-term planning for a more economically feasible, rational way of making homes barrier-free?

**Hon. Mr. Mancini:** After having received the numerous calls and the letter from the honourable member, I had my senior staff meet with lawyers in the Ministry of Government Services to go over some of the same concerns that he brought to our attention, because I too was concerned about the wording. The legal opinion I received from the lawyers in the Ministry of Government Services was that this particular application did not qualify.

But I want to say to the honourable member that I do agree with his opinion that if we do this again in the future, our wording should be much clearer and we should certainly take into consideration new homes which are either under construction or planned for construction. I want to thank the honourable member for his comments and for his pointing out what may be a deficiency in what we have done in the past.

#### NORTHERN HEALTH SERVICES

**Mr. Pouliot:** In the absence of the Minister of Health (Mrs. Caplan), I too have a question for the Premier. One of the painful parts concerning our task force on health issues was centred on individual cases that appeared before us.

I would like to share with the Premier the tragic experience of Mario Savian of Dryden. He almost died of a brain tumour simply because he was on a waiting list of seven weeks for a computerized axial tomography scan in Thunder Bay or of three months for a CAT scan in Winnipeg, Manitoba.

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Instead of waiting, quite naturally, his family advised him that he should go to the Mayo Clinic in Rochester, and he did. Upon entering, he was tested immediately, and a brain tumour the size of a small fist was discovered. Mr. Savian then spent the better part of the following three days on and off the operating table. In this case, he is a very fortunate person; his life was saved.

I know it is a difficult question.

**Mr. Speaker:** The question?

**Mr. Pouliot:** What assurance can the Premier give the House that this kind of situation, this kind of horror story, will never happen again?

**Hon. Mr. Peterson:** I am not sure. Is the honourable member's suggestion that the fact the individual had to go to the Mayo Clinic was the

problem or the fact that there was not a CAT scanner in Thunder Bay? I should tell my honourable friend—

**Mr. Pouliot:** The waiting period.

**Hon. Mr. Peterson:** —there is a new CAT scanner. I was at McKellar General Hospital not too long ago, a couple of weeks ago, and they are in the process of buying a new CAT scanner in that hospital. I think the best I could say to the member's constituent or friend is to expect in the not-too-distant future to have a new CAT scanner at McKellar hospital in Thunder Bay.

**Mr. Pouliot:** I was referring more specifically to the waiting lists. In this case, it almost proved tragic.

Northerners are not asking for the moon. We are not suggesting that every community between 2,500 and 10,000 people be equipped with a CAT scanner. This would not be reasonable, but what is reasonable is to ask for equality in terms of access to health care.

May we respectfully suggest that the government give us the assurance that it will train medical personnel in the north, resulting in better access for northerners?

**Hon. Mr. Peterson:** There are a number of questions mixed up in there. As I said to my friend yesterday when this question was raised, there are a number of initiatives that have been undertaken with respect to health care in northern Ontario, in community-based mental health and in a wide variety of health care initiatives, including one the member participated in, the health travel grants. Yes, we are determined, as the basis of our public policy formulation, to equalize that opportunity the very best we can.

The member recognizes and I recognize that we cannot have a speech pathologist or a CAT scanner in every community. But it is interesting: when I was at McKellar, I looked at the new renal dialysis unit there that is bringing in people from literally thousands of miles across northern Ontario, a large catchment area. They are raising money for a new CAT scanner. I was one of those who was very impressed with the facilities and the wide area they serve.

There is no question that distances are longer in northern Ontario, and I understand that. That is why the northern travel grant is, I think, a very constructive addition to that.

My honourable friend and his colleagues have been raising a number of individual problems, and they exist. Some of them were happy problems, or perhaps could have been problems but were not problems.



I am sure I can tell the member of people in my own riding who have had individual tragedies with the system. Perhaps the system could have helped them better, perhaps it could not have, but when we get a copy of the report I am sure the minister will analyse it thoroughly. If there is anything constructive that we can do with the suggestions, we look forward to positive, constructive suggestions.

### SERVICES EN FRANÇAIS

**M. Villeneuve:** Ma question s'adresse au ministre délégué aux Affaires francophones. Plusieurs raisons se sont prononcées vis-à-vis de la démission à la mi-mandat du président de la Commission des services en français de l'Ontario. Une de ces rumeurs porte sur des conflits que M<sup>e</sup> Bertrand avait avec certains de ses collègues ministériels sur la mise en oeuvre de la Loi sur les services en français.

Puisque la commission est gérée à huis clos, les citoyens ontariens ne pourront jamais connaître la vérité de cette démission soudaine. Le ministre est-il prêt à nous présenter un nouveau président qui sera ouvert envers les citoyens, et de mettre en toute disponibilité aux députés de l'Assemblée législative ainsi qu'au public ontarien, les procédures de la mise en oeuvre des services en français en Ontario?

**L'hon. M. Grandmaître:** Mon collègue le critique des Affaires francophones n'est pas sans savoir que la démission de M<sup>e</sup> Bertrand, on l'attendait depuis quelques semaines.

**M. Villeneuve:** Est-ce qu'on l'a demandée ou est-ce qu'on l'a sollicitée?

**L'hon. M. Grandmaître:** Non, on n'a jamais sollicité sa démission. Je crois que M<sup>e</sup> Bertrand a écrit sa lettre de démission de sa propre main, en nous offrant des raisons personnelles.

Maintenant, pour répondre à la deuxième question du député — je crois qu'il m'a posé deux ou trois questions — je peux assurer tous les députés à cette Assemblée que très bientôt, nous annoncerons un nouveau président ou présidente à la Commission.

**M. Villeneuve:** C'est énormément apprécié, mais tout de même, on doit reconnaître que, là où les services en français seront disponibles à des milliers de gens en Ontario, la planification ne peut pas être gérée dans le secret. Le ministre est-il prêt, de la part du gouvernement, à accorder la mise en oeuvre des services en français à un comité législatif, avec audiences publiques, tout en gardant les comités de citoyens déjà en place, afin d'assurer que la Loi 8

sera exécutée efficacement et sans préjugés en Ontario?

**L'hon. M. Grandmaître:** Je ne peux pas accepter ce genre d'accusation que la Loi 8 a été adoptée en secret. Ce même député a voté en Chambre pour la Loi 8...

**M. Villeneuve:** La mise en oeuvre.

**L'hon. M. Grandmaître:** ...pour la mise en oeuvre. D'article en article, la Loi a été très bien expliquée, très bien comprise. Elle a été acceptée d'une façon unanime.

Le député devrait au moins avouer à la Chambre qu'il est chancelant. Aurait-il dû voter pour la Loi 8 ou non? Maintenant, on chancelle. Alors, il faudrait régler ces problèmes avant de demander à l'Assemblée de revoir la Loi 8. La Loi 8 est là pour rester.

### PRESERVATION OF HISTORIC SITES

**Mr. Keyes:** My question is directed to the Minister of Culture and Communications. On Thursday, June 2, two historically designated buildings in the city of—

**Mrs. Marland:** Oh, so far away.

**Mr. Runciman:** That's a long reach.

**Mr. Pollock:** Tap her on the shoulder.

**Mr. Keyes:** Methinks I hear an ass braying.

On Thursday, June 2, two historically designated buildings in the city of Kingston were tragically and intentionally demolished by a Toronto firm, Great Northern Developments, owned by Richard "Tracey" Christie. The developer did not have a demolition permit, and even the efforts of distressed citizens, police and a city official with a stop-work order could not prevent the destruction of these buildings.

It appears that the buildings were demolished in the evening, without a permit, after the developer assured the city of Kingston that only an adjacent building would be torn down. The demolition of Spearn's gift shop and the Brown Bear, which were between 135 and 145 years old, was another serious blow to the city of Kingston's attempt to preserve and respect its architectural and cultural heritage.

I would like to ask the minister if she intends to grant the request of the city of Kingston for permission to initiate legal proceedings against Great Northern Developments as provided for under subsection 69(3) of the Ontario Heritage Act, which reads, "No prosecution for an offence under this act shall be instituted except with the consent in writing of the minister."

**Hon. Ms. Oddie Munro:** Under the requirements of the Ontario Heritage Act, the city

solicitor or the city must contact this minister for permission. I am currently in the process of preparing a letter to be sent back to Norman Jackson, the city solicitor.

**Mr. Keyes:** I would be more than happy to deliver that personally, if it was prepared this afternoon, and to see that it gets there so the proceedings can begin immediately.

The honourable minister may also be aware that the city of Kingston provided the initial model to the province for the Ontario Heritage Act, indicating its sincere commitment to the preservation of this province's architectural and cultural heritage.

As a supplementary, I would like to ask the minister if she is prepared to immediately initiate a review of the Ontario Heritage Act, now some 13 years old, particularly as it pertains to restrictions and the penalties for demolition of our historically designated properties.

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**Hon. Ms. Oddie Munro:** As soon as I have the letter prepared, I would be delighted if the member would deliver it to the city of Kingston.

In response to the member's question as to a review of the Ontario Heritage Act, I should tell him that in July 1986 we in fact did instigate what I consider to be a comprehensive review of the act. The process began in February 1987 and we expect that we will get all the responses back from the communities later this year.

Part of the review will certainly take a look at the conservation powers of municipalities in liaison with the city; and, of course, I would like to also recognize the work done by the city of Kingston and the city of Toronto in taking a look at the relationship between demolition and the Ontario Heritage Act. I would expect the results of that review and, in particular, how we allow municipalities to conserve buildings that have been designated, will be made available as soon as possible.

#### NORTHERN HEALTH SERVICES

**Miss Martel:** I have another question for the Premier, this time concerning problems faced by the hearing-impaired in cities and communities east and west of Thunder Bay.

West of Thunder Bay, in Atikokan, Fort Frances, Dryden, Sioux Lookout and Kenora, some 1,300 people suffer from some form of hearing impairment. Not in any of the communities are there any services to maintain or repair hearing aids. In each community, the ability of the public health unit to properly do testing is hampered by the lack of adequate equipment.

There is no means to test preschool children at all. There is one audiologist in Kenora who serves that community, Dryden and Fort Frances. The community of Sioux Lookout relies on an ear, nose and throat specialist who comes from the University of Toronto to the zone hospital for one week three times a year.

Would the Premier tell us how he can describe the health system as world class when it seems obvious to me that the needs of the hearing-impaired in northwestern Ontario are not being met at all?

**Hon. Mr. Peterson:** I appreciate the honourable member's sharing that information with me. I think her colleague said it very well before. We are not going to have a system with specialists in every tiny community that they cannot justify on the basis of the population, but we want to do the best we can to provide those services. If she points out information where we are not, then we will try to respond.

**Miss Martel:** We are not asking for specialists in every community. We are asking for some access to adequate health care for the people in northwestern Ontario.

Let me give the Premier an example of what is happening in communities east of the city of Thunder Bay. In those communities, 241 people have hearing impairment. None of the communities, again, has any service to maintain or repair hearing aids. Screening occurs only in schools and, in those communities where there are sawmills, the industrial nurse provides some testing. There is no screening available anywhere for the francophone population. There are no interpreting services, nor is sign language taught in any of the communities. There are no audiologists and there are no ear, nose and throat specialists who come in, even on a rotating basis.

I ask the Premier again—this is a pathetic situation—what specifically does he intend to do to alleviate this kind of problem?

**Hon. Mr. Peterson:** We did not know about the problem until the member raised it just now. Presumably, I assume she will have a few more of these to raise and when she gives us her report, then I will discuss it with the minister and see where we can make a response.

#### ENVIRONMENTAL AWARD

**Mr. Sterling:** I have a question of the Minister of the Environment. No doubt the minister is aware that his federal counterpart, the Honourable Tom McMillan, was the recent recipient of the prestigious environmental award by the Sierra Club of North America, making him the



first foreign politician ever to be recognized in this fashion.

In light of everything that we have heard from this minister, I ask the minister, can 440,000 Sierra Club members dedicated to protecting the environment and recognizing this achievement be wrong?

**Hon. Mr. Bradley:** Perhaps I could give a detailed answer to this particular question. The member will know—I forget the actual reason for this, but he will recall—that there was a development in eastern Canada of an acid rain abatement policy that would take place and various provinces were to make a contribution. It would depend on how aggressive they wanted to be in dealing with the specific amount of acid rain generated in the province as to which program would be implemented.

Of course, when requested by the previous federal government to do so, we as a government in Ontario—my good friend the former Minister of the Environment was enthusiastic about it but had not announced a specific program—the Premier (Mr. Peterson) said that within six months we would have an acid rain abatement program in Ontario; and within six months of taking office, we had an acid rain abatement program in Ontario.

If the member were to look at which provinces had the deepest cut that could make all of Canada look good, we in Ontario chose to cut, not 50 per cent, which was to be the national average, but 60 per cent of the emissions in Ontario.

**Mr. Speaker:** Thank you.

**Mr. Sterling:** Since the Minister of the Environment is not humble enough to acknowledge the contribution of our federal minister, I asked the minister whether he would approve of this resolution which I will be tabling this afternoon, asking him to ask the government to pass this resolution:

“That in the opinion of this House, this Legislature should extend its congratulations to the Honourable Tom McMillan, Minister of the Environment for Canada, for being the first foreign politician ever to receive the Sierra Club’s Edgar Wayburn award from the largest and most respected nongovernmental environmental association in the world; that we should congratulate him on his leadership in his fight against acid rain, protection of the ozone layer and work for cleaner water and air; and that we recognize Tom McMillan and the government of Canada as the leaders in the protection of our environment.”

**Hon. Mr. Bradley:** Mr. Speaker, as I was interrupted—I know you look at the time constraints of this period, but as I was interrupted by you—I was attempting to point out to the member how co-operative we in Ontario wanted to be and that if you look at all of the provinces in terms of the reductions, you find that Ontario was far ahead of anyone else in Canada.

We are happy to make the federal minister look good, but members of the House might not be so enthusiastic about passing such a resolution when they find out that the same government that he extols the virtues of actually cut \$46 million from the Environment budget.

**Mr. Speaker:** I want to thank the minister for that brief answer.

### SEXUAL ASSAULT

**Mr. Callahan:** I have a question for the Minister of Labour. I think all members of the House have seen the very excellent commercials that have appeared on television dealing with the question of sexual assault. I would like to inquire of the minister, first of all, whether or not we own the prints of those commercials.

**Hon. Mr. Sorbara:** The member for Brampton South points out the advertising campaign that we are currently undertaking through the Ontario women’s directorate, directed at the very serious issue of sexual assault. I am glad to hear that my friend the member for Brampton South has seen those commercials. I expect that everyone in this House and everyone in the province will see those advertisements and will take heed of them.

His question was whether or not we own the rights to those commercials, and the answer is yes, we do.

**Mr. Speaker:** I am very sorry, that completes the allotted time for oral questions and responses.

### PETITIONS

#### RETAIL STORE HOURS

**Mr. Brandt:** I have a petition for the Lieutenant Governor in Council signed by 330 persons from Sarnia and area which reads, in part, as follows:

“We, the undersigned, oppose further expansion of Sunday shopping and ask our municipal council to protect Sunday as the traditional day for rest, worship and family activity.”

**1500**

I have a further petition to the Lieutenant Governor in Council, signed by 827 persons from the London area, which reads:

"We, the undersigned, wish to draw your attention to this petition which we have formulated in opposition to Sunday openings in the retail sector of London. We feel very strongly that Sundays should continue to be seen as a day of rest for the preservation and enrichment of family life."

#### ROUGE VALLEY

**Mr. Faubert:** I have a petition:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Rouge Valley system contains an abundance of natural beauty and sites of historic importance and archaeological significance; and

"Whereas the Rouge Valley system is a unique oasis of nature found within the boundaries of Metropolitan Toronto; and

"Whereas the Ontario government has indicated its continuing commitment to the environment through its generous support programs towards preserving the Rouge Valley system and the Carolinian forest, and the historic and archaeological sites contained within;

"Therefore, we, the undersigned, hereby petition the government of Ontario to give every consideration to the various alternatives available to them to ensure that the Rouge Valley system be preserved so that future generations may have the opportunity to enjoy them; these alternatives include a provincial park or a natural heritage park."

This petition is signed by 48 citizens of Ontario. I have appended my name thereto and I submit it for the consideration of the government.

#### RETAIL STORE HOURS

**Mr. Morin-Strom:** I have a petition, signed by 150 concerned citizens of the city of Sault Ste. Marie, which reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"In recognition of the importance of a day of pause in our Canadian society, we ask that the Retail Business Holidays Act be maintained and strengthened and that the act remain under the jurisdiction of the Ontario Legislature rather than be transferred to local municipalities for administration."

I have signed this petition and support it very strongly. I hope the government will act upon it.

**Mrs. Marland:** I have a petition for the Lieutenant Governor in Council, signed by 246 persons from St. Andrew's Church in Toronto, Ontario, which reads in part:

"We, the undersigned, wish to express our opposition to changes in Sunday shopping laws which threaten to transform Sunday into just another day for doing business."

I have a second petition to the Lieutenant Governor in Council, signed by 61 members and adherents from St. Luke's-on-the-Hill United Church in Mississauga, which reads, in part, as follows:

"We are opposed to transferring authority to legislate on Sunday shopping entirely to municipalities, and further, we are opposed to open Sunday shopping in Ontario."

**Ms. Poole:** I would like to present a petition to the Legislature today from members of Glenview Presbyterian Church. This petition is signed by 108 people, 50 of whom are my own constituents in Eglinton riding. The petitioners wish to register their opposition to changes in Sunday shopping laws which, in their words, "threaten to transform Sunday into just another day for doing business."

The petition states that the signers are in favour of limiting Sunday shopping for various reasons, which are appended. Pursuant to the standing orders, I have affixed my signature to the end of the petition.

**Mr. Jackson:** I have a petition for the Lieutenant Governor in Council, signed by 23 persons from The Picture Place in Hamilton, Ontario. It reads in part as follows:

"We, the undersigned retail employees, are strongly opposed to the transfer of store hours authority from provincial to municipal level."

It is signed by its proprietor, Danny Davids, and also has my signature and support.

**Mr. Harris:** I would like to give notice of a petition that I forgot in my office for the third day in a row, from 50 members of the public of North Bay who are opposed to Sunday shopping.

**Mr. Speaker:** Thank you.

**Mr. Wiseman:** I have a petition signed by 49 people from the great town of Smiths Falls and it reads:

"To the Honourable the Lieutenant Governor and Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."



## TAX INCREASES

**Mr. Villeneuve:** I have petitions, 4,800 of them, from irate taxpayers in Ontario, and I have affixed my signature to this petition, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Mr. Treasurer, Bob Nixon, you've gone too far."

## ENVIRONMENTAL PROTECTION

**Mrs. Marland:** I have a petition to the Lieutenant Governor in Council, which reads in part:

"We wish to bring to our government's attention that we are concerned about preserving our environment.

"We strongly urge you to care about our forests by seeing that reforestation is enforced in the lumbering industry, as well as selective harvesting, by preserving some of our forests in their natural state so that wildlife may continue to survive and people may enjoy the natural beauty of our land.

"We are also concerned about the quality of our waterways. The need to clean up the St. Lawrence River is currently in the news and we would urge you to get working on this. Our lakes and rivers are a resource which must be cared for regardless of cost. We need clean drinking water."

This is signed by a discussion group of the Bethesda United Church of Forest Glen at 3311 Fieldgate Drive, Mississauga.

## RETAIL STORE HOURS

**Mr. McCague:** I have two petitions to His Honour, the Lieutenant Governor and the Legislative Assembly of Ontario.

The first is signed by 20 Collingwood residents concerning Sunday shopping. They insist on upholding a common pause day for their families. I am pleased to support their petition, in which they say:

"We object to the elimination of the opportunity for a common pause day for families."

The second has 57 signatures from many retail business employees in the Collingwood area who feel threatened by the concept of wide-open Sunday shopping. Their individual families will suffer due to Sunday shopping, as will the quality of life throughout Ontario.

The bottom line is, "Say no to wide-open Sunday shopping."

**Mrs. Marland:** I have another petition to the Lieutenant Governor in Council. In fact, it is an extension to an original petition signed by 47 members of the First United Church on Lakeshore Road in Port Credit and it is in opposition to Sunday shopping. I will not take the time read the detail of it.

I also have a petition signed by 62 persons from St. Luke's United Church in Cambridge, which is also opposed to Sunday shopping. I will not read it, for the sake of brevity.

I have an individual petition opposed to Sunday shopping, by Ann McKenna at 1515 Lakeshore Road East, Mississauga.

## REPORT BY COMMITTEE

STANDING COMMITTEE ON  
REGULATIONS AND PRIVATE BILLS

Mr. Fleet from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr33, An Act to revive the Vic Johnston Community Centre Inc.;

Bill Pr51, An Act respecting the Incorporated Synod of the Diocese of Huron.

Your committee begs to report the following bills as amended:

Bill Pr35, An Act to revive Primrock Mining and Exploration Limited;

Bill Pr45, An Act respecting the Owen Sound Young Men's and Young Women's Christian Association;

Bill Pr46, An Act respecting the Brockville Rowing Club Incorporated.

Your committee recommends that the fees, less the actual cost of printing, be remitted on the following bills:

Bill Pr45, An Act respecting the Owen Sound Young Men's and Young Women's Christian Association;

Bill Pr46, An Act respecting the Brockville Rowing Club Incorporated;

Bill Pr51, An Act respecting the Incorporated Synod of the Diocese of Huron.

Motion agreed to.

1510

## INTRODUCTION OF BILLS

## COURTS OF JUSTICE AMENDMENT ACT

Hon. Mr. Scott moved first reading of Bill 150, An Act to amend the Courts of Justice Act.

Motion agreed to.

**Hon. Mr. Scott:** This bill is a reintroduction of a bill that was introduced by me in the last session and that died on the Orders and Notices paper. Its purpose is to permit reporters and certain other classes of persons to transcribe court hearings with audio equipment for the purpose of notetaking.

#### PERSONAL PROPERTY SECURITY ACT

Hon. Mr. Wrye moved first reading of Bill 151, An Act to revise the Personal Property Security Act and to repeal and amend certain other Acts related to Personal Property.

Motion agreed to.

#### REPAIR AND STORAGE LIENS ACT

Hon. Mr. Wrye moved first reading of Bill 152, An Act to revise and consolidate the Law related to Repairers' and Storers' Liens.

Motion agreed to.

#### COUNTY OF SIMCOE ACT

Mr. Black moved first reading of Bill Pr41, An Act respecting the County of Simcoe.

Motion agreed to.

### ORDERS OF THE DAY

#### THIRD READINGS

#### TROISIÈME LECTURE

The following bills were given third reading on motion:

Les motions de troisième lecture des projets de loi suivants sont adoptées:

Bill 5, An Act to amend the Proceedings Against the Crown Act;

Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law;

Projet de loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international adoptée par la Commission des Nations Unies pour le droit commercial international;

Bill 82, An Act respecting Energy Efficiency;

Bill 118, An Act to amend the Financial Administration Act;

Bill 126, An Act to assist Ontario Residents to save for the purchase of a First Home;

Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities.

### MUNICIPAL ELECTIONS STATUTE LAW AMENDMENT ACT

Hon. Mr. Eakins moved third reading of Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act.

**Ms. Bryden:** I rise to explain why I am going to oppose third reading of this bill and my New Democratic Party colleagues are also joining in this position.

We all know that the Municipal Elections Act needs updating and that amendments are necessary from time to time, but we feel the process that was adopted to amend the Municipal Elections Act was much too curtailed by the very late introduction of the legislation.

The minister will tell us there were lots of preceding activities to examine the need for municipal election reform. There was consultation with most local governments, municipalities and school boards, mainly with either the appointed officials or, in some cases, the elected officials from those areas, but there were never any general public hearings to which the ordinary voters could come to discuss what they thought was needed for the revision of our Municipal Elections Act.

Certainly, as we all know, elections are basic to our democratic process. This bill was introduced very late by the minister. It was forecast last fall but did not come in until April 5, 1988. We have municipal elections coming up on November 14, so in that period, the whole process of amending this act and seeing whether it fully covered all the possible events which might arise as a result of the amendments was telescoped into a very short period in this House.

The bill was itself referred out to the standing committee on general government for some opportunity to invite the public to comment on it. In actual fact, the committee decided that if the bill were going to be in effect for November 14, if we were to get it through this month, it could not have lengthy hearings and would only receive written submissions from the general public and only give the general public about two weeks to make those written submissions.

It was decided that the only other people who might appear before the committee and be able to discuss their concerns about the bill would be people who represented the few umbrella bodies in the province—the Association of Municipalities of Ontario and the various other municipal associations, the Association of Municipal Clerks and Treasurers of Ontario and bodies of that sort.



1520

Their proposals were very helpful as to where the bill needed amending. In fact, all of these consultations did lead the ministry to bring in about 20 government amendments for the committee to look at, whereas, if we had not had those public hearings—and I may say it was the opposition that mainly demanded them—the bill would have gone through with a considerable number of flaws in it that were corrected by those amendments.

However, there were many other suggestions that came in from the written submissions that the committee really did not have time to go into in detail to see if there was a need for further amendment, and so there may be still a considerable number of flaws in the bill. The committee itself had such limited time to deal with the bill that it could not go into all of the suggestions that came forward.

So this process was really not a democratic process and it has probably left us with a bill for which the government will have to take responsibility, if it is passed today. It is a bill which will be a sort of pilot project for the next municipal elections. If it goes through, we will have to live with it during the coming municipal elections. If there are things that should have been amended, they will not be able to be amended until the next session of the Legislature after the municipal elections.

We consider this bill really a trial run of what a new municipal elections bill should be, but we wish it did not have to be a trial run. We wish it had gone through at least a 6-month, probably 12-month, process of amendment. The government has now been in for more than two years, and the examination of this bill has been going on by the permanent officials, I understand, for a number of years. There was absolutely no real excuse for bringing this bill in so late, with so little time for public input in it.

I am afraid there may be a lot of problems emerge during the elections that we will just not be able to solve. That is one of the main reasons why we are going to oppose the bill on third reading, to express our disapproval of the process.

The second main reason is that part III of the bill provides for a system of accountability which we would support in principle. We do think that election expenditures should be limited. We do think that contributions by individuals should have a ceiling on them, so that we do not have one or two large donors providing most of the money for candidates.

Instead, we would spread it over a great number of donors and make it more democratic, so that we do not allow the obscene sort of expenditures that were allowed in municipal elections in the past where one candidate would spend over \$100,000 and another would only be able to afford \$10,000 or \$2,000. That kind of unfairness just does not promote democracy.

We are in favour of the limitations on election expenses and contributions, but we object to the third part of part III, which provides for a system of rebates to contributors. That is another reason why we are opposing the bill.

We are not against rebates to contributors, in principle, either. I think, in order to promote democracy, there should be encouragement for people to contribute to election expenditures of candidates, but the rebate system that we have at the federal and provincial levels should be carried through to the municipal level.

In other words, the people who collect the income tax and who benefit from those collections should be the ones who should pay for the election rebates. But under this bill, the municipalities and the school boards are going to have to, first, decide whether they want a rebate system in the first place and, second, dig into their own pockets for the cost of such a rebate system.

We all know the property tax is overburdened and that to put in this additional expense of providing a democratic election contribution expense law should not be left to the property taxpayers. In the first place, it will be an inhibition for people to contribute to elections—

**Mr. Faubert:** Who should pay?

**Ms. Bryden:** The member from across the floor asks who should pay. Obviously, I am suggesting that the provincial government and possibly the federal government should pay as part of the income tax administration and costs.

That is the only fair way to do it and it is the only way to put it in across the province so that in every municipality a contributor will get the same possibility of a rebate; whereas under the system in this act, it is strictly a local-option situation, and a great many municipalities and school boards will decide to opt out. We are going to have a very uneven election expense rebate system and we are going to have a very costly system, particularly for small municipalities or for school boards, if they do adopt it and if every candidate takes advantage, or at least has received fairly sizeable contributions.

That is the second reason we are opposing it. We would have liked to have seen that part



rewritten, but there simply was not time when the bill came in to strike out part III and rewrite the whole part. The principle is that the rebate system should mirror the rebate system for federal and provincial elections and should come from the general taxpayers and not the local governments or the school boards.

Those are the two main reasons we are opposing it. There are some good amendments in the bill which will streamline some of the access problems to voting: an extension of the proxy vote with less red tape and less definition of who may qualify, simply people who are not able to get to the polls and who will sign a statement to that effect.

Things like that are valuable, but we would have liked to have had them combined with those other two things that we consider significant flaws in the bill. Therefore, we hope that if flaws emerge in the coming municipal election, there will be prompt legislation after the event to rectify parts of the bill that may not have worked and that we will be ready for the first by-election after the municipal elections with fresh and amended legislation.

**Hon. Mr. Eakins:** I do not want to make too many comments, except to thank the members for their participation both in the House and in committee in regard to this bill. I think it is a good bill.

**The Deputy Speaker:** Excuse me, this is not your windup. This is just questions and comments on the member's statement.

**Hon. Mr. Eakins:** I am sorry. I just want to answer then to the member that we have taken into consideration many of the concerns she has raised, and I think many of those concerns have been incorporated into the bill.

**Mr. McCague:** As the minister probably knows, had my colleague the member for Markham (Mr. Cousens) been here today, he would have been speaking on third reading of this bill, but he has a seniors' seminar in his riding which he had to attend.

The minister has had a series of bills before us, all of which the two opposition parties thought were flawed to a considerable extent. I guess the underlying problem with all the bills he has had that apply to elections and election financing is the very strong recommendation the advisory committee made to the minister that he not, if you want to say, tamper with those acts after January 15 of an election year.

The minister can contend he was held up by the opposition parties in the House or by events or by his House leader because he would not put the bills on earlier for him, but the underlying principle the municipalities I think were trying to convey to the minister was that these bills should not receive royal assent as late as June 10 or June 15, or whatever it may be, and the minister seems to have ignored that.

The problem with the bills is that there is some good and some bad in them. That probably is a well-designed mix that he and his staff have come up with and it makes it very difficult to oppose Bill 106. My colleague in the New Democratic Party has said her party is going to oppose the bill for two reasons. We try hard here to find reasons to support a bill and we see in this bill more reasons to support it than to be opposed to it.

It should be said that the minister, if my information is correct, made some 30 amendments to this bill in committee. I am not sure what the minister would say those 30 amendments say about the original drafting of the bill. He will likely tell us that they show he is very flexible and that he does in fact listen, but I think some of those amendments come under the heading of poor drafting.

The other thing I want to say is that my colleague the member for Markham introduced some 30 amendments. Those amendments were predicated on the complaints that were made by various municipalities, organizations, citizens, councillors or whoever during, in this particular case, the somewhat limited public or association debate on this very subject.

My colleague wanted me to acknowledge the fact that the minister did accept some of those amendments. I personally want to thank the minister for introducing the amendment that corrected the situation I pointed out to him the very first day he introduced it. For that, we are thankful.

We will be supporting the bill, but with a long-time involvement in municipal politics, I am somewhat concerned about the introduction of the election expenses activity into municipal elections. I know my colleague the member for Scarborough-Ellesmere (Mr. Faubert) has things to say about that. I would like to point out to him that what he is saying is probably very appropriate in Scarborough, but I also say to him that it is not very appropriate in certain parts of the province.

The minister will come back and tell us that all this election-financing legislation is permissive.



That is fine, but if somebody who is either on council or wants to run for council thinks that Alliston or Collingwood—they may well adopt it; they are bigger municipalities—or Beeton or Cookstown, with 800 electors—if somebody wants that in a municipality, I suggest a council is going to be very hard pressed to oppose it because it is going to be seen as oppressing what the minister thinks is the norm for municipal elections in Ontario from this point forward.

I personally spent a lot of time on boards, commissions and councils where there was no pay. I figured that as a citizen of the province of Ontario, it was right that I should offer my services if the people wanted to elect me to do so. I am saddened to see that kind of principle disappearing from our way of life in Ontario today, and I am sure the minister himself is a little saddened by that.

Too many times in legislation here—I must admit I have seen it more since the new government took over than when I was part of the old government, and that is not to say at all that the new government is doing more of those things than the old government did. We just have become more aware of the problems we have as a government and as a province in legislating for those municipalities that have, let's say, 20,000 people and above, and those that are below 20,000. There are many things this Minister of Municipal Affairs (Mr. Eakins) has brought in during this past year where the legislation really did not fit in those two cases.

That is something I would like to see him be cognizant of as he goes about drafting more legislation, because I see it as a real problem. I think what happens in that case, when it applies to all municipalities, is that he comes up with a compromise, maybe a sort of watered-down type of legislation, that is not good for the larger municipality and is not good for the smaller municipality, but comes somewhere up the middle of the road. I do not think that is good legislation.

I wish the minister well with all the revisions he has brought in, be it to this act or others, for the municipal elections that happen on November 14 of this year. Both the New Democratic Party and ourselves have pointed out to the minister on occasion that the legislation he proposed is so flawed that it really is not worth tampering with. Let's let it go. Let's let the fallout be to the credit or otherwise of the minister. I think that is basically what has been done, except, as I noticed, the member for Oshawa (Mr. Breough) has on tomorrow's

Orders and Notices paper a resolution that gets back to the basics of this whole thing; that is, that we may be changing the election process too late in the election year.

However, we will be supporting this bill. I feel I have put on the record those things that I consider to be important and that my colleague the member for Markham does also.

**Hon. Mr. Eakins:** I just want to thank the honourable member for his contribution, comments and indication of support. I feel that through the committee system, as I mentioned when I met with the committee, we were open to any further comments and resolutions that would help to make it a stronger bill. The honourable member has made that contribution. I appreciate that, and I feel that as a result of the committee hearings and contributions by the municipal people, the Association of Municipalities of Ontario, the large urban sector, the Association of Municipal Clerks and Treasurers of Ontario and by others, we will have a bill for the municipal people and the municipal elections of this province of which we can be very proud.

**The Deputy Speaker:** Mr. Eakins has moved third reading of Bill 106.

All those in favour will please say "aye."

All those opposed will please say "nay."

In my opinion the ayes have it.

Motion agreed to.

1540

#### RETAIL BUSINESS HOLIDAYS AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**The Deputy Speaker:** As Mrs. Marland was the last one to speak yesterday, it will be a government member's turn to speak.

**Hon. Mrs. McLeod:** I am very pleased to rise and speak today in support of Bill 113. I do so as one of the members of the government who is on public record as being personally supportive of a common pause day. This fact is well known in my community and it is now known in the Legislature because my name is one of those appearing on the list that was circulated some weeks ago by members of the opposition. I presume this list was circulated in order to attempt to embarrass members of the government who made that list, but it may be somewhat disconcerting to members of the opposition to realize that members of the government, includ-

ing those of us who have indicated a personal preference for a common pause day, can and do fully support this bill.

I would like today to indicate why I can support this bill without any sense of inconsistency or any lessening of personal conviction. I can support the legislation on retail business hours because it is good legislation. I suggest that anyone who believes this legislation provides for open Sunday shopping look honestly and carefully at what the bill does and does not do.

The legislation provides guidelines for retail store openings that are clear and unambiguous, and because it does that, this legislation will be more enforceable than previous legislation was or ever could be. The legislation does not create a vacuum municipalities must now rush to fill. The bill provides, on its own, guidelines that can serve to regulate store hours without any further action by municipal governments. Municipalities can choose to stay with the provincial guidelines and need not exercise local option beyond this.

The opposition has tried to portray this legislation as creating wide-open Sundays. This is not, of course, what the legislation that has been tabled actually does. In fact, what it does is quite the reverse. The legislation provides for stores to be closed on Sundays, with some exceptions. It is somewhat ironic, given all the furor that preceded the introduction of this bill, that the guidelines will actually close some stores that are currently allowed to open.

I believe it is also of importance to note that the bill allows a retail owner who closes on another day of the week to open on Sundays, but only if this is done consistently all year. So I am comfortable in supporting this bill and the guidelines it provides for regulating retail business hours.

I am also comfortable with the fact that local municipalities are given the option of amending the guidelines according to local needs and concerns. Local governments now have the right to declare they will allow Sunday openings under the tourist exemption clause. It is quite clear that some flexibility in this regard must be retained. Any attempt by the provincial government to write legislation that identified tourist areas across the province would have had to contain so many exceptions that enforcement would have been impossible. As well, I expect that the discontent of individual communities would have been widespread and the demand for amendments would have been continuous.

There were really only two alternatives to attempting such an impossible and ultimately unsatisfactory task. One of these alternatives was to allow all stores to be open on Sundays. This was a direction our government chose not to take, so the only reasonable solution to the problem was to allow each local council to decide what particular exceptions, if any, are appropriate in each unique situation.

I would perhaps have been less comfortable with the legislation if it did not give individual tenants the right to remain closed should a city council vote to permit Sunday store openings in certain shopping malls, but the legislation does give that right.

I would perhaps have been concerned if our government had not introduced legislation to protect retail workers by giving them the right to refuse unreasonable assignment of Sunday work, but it has introduced such legislation. So I return—

**Mr. D. S. Cooke:** Come on, it doesn't do that. What does that mean?

**Mr. Ballinger:** Another good point.

**Hon. Mr. Conway:** That northern trip seems to have unsettled a lot of you.

**The Deputy Speaker:** Order, please. Whether members are sitting in their seats or not, there are a lot of interjections and a lot of exchanges between members on both sides of the House. Out of respect for those who have the floor, I recognize one person at a time and that person is the Minister of Colleges and Universities.

**Hon. Mrs. McLeod:** Thank you, Mr. Speaker. I reiterate my belief in the importance of the fact that this government has introduced legislation to protect retail workers by giving them the right to refuse unreasonable assignment of Sunday work.

I return to my earlier statement that this is good legislation and is fully deserving of our support. I have no doubt that full and open discussion of what this bill does and does not do will allay any concerns others might have. I recognize that those who favour wide-open Sunday shopping may not favour this legislation and will undoubtedly call on local governments to ease the provincial restrictions.

It will be important for local councils to be aware of the feelings of the majority of people in their communities and to be sensitive to the particular needs of their areas in order to respond to these pressures. I have every confidence that local councils are very much aware of the particular circumstances in their communities.



Local debates on this issue will make community concerns very clearly known; that is one of the functions of local option.

I found it interesting that in my home city of Thunder Bay, the chamber of commerce initially expressed its support for open Sunday shopping. The retailers who were members of the chamber expressed opposite views, and those views were listened to. The consultation that followed made it quite apparent a majority of members in that community did not want Sunday openings. I submit it was the prospect of local option that led to that very clear expression of opinion. I also recognize that residents in a neighbouring town, Nipigon for example, may feel quite differently about the prospect of opening stores for the tourists who pass through that community during the summer.

This legislation accommodates a diversity of community needs. While it has this flexibility, it also provides guidelines that are fair and enforceable. I believe it represents the best of the alternatives before us.

**The Deputy Speaker:** Questions and comments?

**Mr. J. M. Johnson:** I would just like to ask the minister, the member for Fort William, a question. I am not sure whether she spoke on behalf of cabinet or caucus when she expressed her support for Bill 113, but the question I pose is that if caucus is unanimous in its decision that this legislation is so wonderful, what is the point of having eight weeks of public hearings? Is it going to mean anything or is the government just going to waste the taxpayers' money and the time of the members of the Legislature?

With the resolution condemning free trade having been passed before the committee hearings, it did not make a lot of sense to have any hearings. I wonder if that is the position the government is in now. Does the minister mean the committee hearings that will be held for eight weeks starting the first of August will not have any meaning? Will any input be accepted? Has the government made up its mind now that it means nothing? If so, why go through the charade of having hearings? I am terribly disappointed the government cannot have hearings that mean something.

The member mentioned Bill 114, and it says a worker can refuse to work when he considers it unreasonable. Government cannot define "tourism"; they said it is impossible to define "tourism." Define "unreasonable." The government cannot define it to suit both employee and employer. They will get caught up with the—what

do they call it?—mediator and then it will be referred to an independent referee. Is that a National Hockey League referee?

**1550**

**Hon. Mrs. Smith:** I would not like to insult the Supreme Court of Canada which has used the term "reasonableness" in defining the rights of people to refuse to work for religious reasons. The Supreme Court of Canada seems to think it is a term with validity in this exact relationship and I would support the Supreme Court of Canada in that.

I wish to assure the member that, as I said in my speech, I will be listening to the committee for any improvements it will suggest that still observe and keep the proposed law both fair and enforceable, and that, within those criteria, indeed we will listen for any helpful suggestion it has.

Although it was never suggested we would not allow committees to determine what they wished to do, it seems amazing to me that an opposition that presented petitions for days on end because it claimed we were not going to let the committee travel is now standing there and, apparently, is going to accuse us of spending too much money because we are going to allow it to travel. I do not know, the opposition had better make up its mind what it was doing when it was presenting all those petitions and holding out for so much time.

**Mr. J. M. Johnson:** On a point of order, Mr. Speaker: I did not mention that the government was wasting money. I simply said that if the government has no intention of listening to what the people say, what is the point of spending the money?

**Hon. Mrs. Smith:** On a point of order, Mr. Speaker: I will examine Hansard to see if he mentioned money in this.

**Mr. D. S. Cooke:** I probably will not take the entire two minutes.

I do not know how the Solicitor General (Mrs. Smith) responded to the comments of the Minister of Colleges and Universities (Mrs. McLeod) when she was not here for most of the speech. I certainly am happy that these bills will be going out to committee, but I tend to agree with concerns that have been expressed throughout the debate, and probably in the comments from the Minister of Colleges and Universities, that this government does not tend to listen to committees very often.

We know the history of this legislation. The member can make all the comments she wants to rationalize the legislation that is now before this

Legislature, but before she was a member, in the last parliament, a select committee was set up, of which the Solicitor General was a member, and a unanimous report was produced—that is less than a year ago—that said there should not be wide-open Sunday shopping, that the legislation should be at the provincial level to control retail store shopping. That was going to be done at the provincial level.

What they have done now is passed the buck to the municipal level, and there is no way the member can rationalize what the provincial government has done. It has passed the buck.

**Mr. Ballinger:** Sure we can.

**Mr. D. S. Cooke:** Well, she can rationalize it, but she cannot really speak on this matter with a lot of credibility.

What happened was that, when there was minority government, this government listened to the people. Now that there is majority government, they are smug, they are arrogant, they do not give a damn and they do not listen to the select committee. I doubt very much whether they will listen to the eight weeks of public hearings and all the people who will come before them and say that the public does not want shopping on Sundays. The government cannot and should not be passing it on to the municipal governments.

**The Deputy Speaker:** Does the minister wish to respond?

**Hon. Mrs. McLeod:** Perhaps just on two points. The first perhaps would require a closer reading of Hansard to determine exactly the comment the honourable member just made, but he made some reference to the member having been a part of the select committee. I am not sure if he was referring to me, but I certainly would want to draw it to his attention that in fact I was not elected to the Legislature at that time. I certainly was on public record, prior to my election to this Legislature, as being supportive of a common pause day and it was in that context that I wished to rise and speak today in support of this legislation.

I am not sure whether to address my second point simply in response to the first member who spoke or whether in fact it is a point of order, but there was a question raised as to whether I was somehow reflecting the views of the government and/or the cabinet and if my commitment to and support of this legislation in some way precluded a fair hearing at the committee level. I was certainly under the impression when I rose to address this issue that I was free to speak in this Legislature as a member of the Legislature,

reflecting my own views. Those views were independently arrived at after a very thorough and thoughtful analysis of this legislation. I presented them as individual views which I believed to be consistent with my personal convictions on the issue and I do want to clarify that.

Interjections.

**The Deputy Speaker:** Order. One person at a time, please.

**Mr. Swart:** I suppose in the sort of wind-down of members' terms in this Legislature, they are less likely to speak on as many matters as they would when they have no intention of leaving, unless the public in their community tells them to leave, but I want to take part in this debate and perhaps in one more before I leave.

I want to take part in this debate for two or three reasons. First of all, I have been involved in this issue since the beginning and have real concerns about it. Second, I spent 21 years in—

Interjection.

**Mr. Swart:** What is that?

**The Deputy Speaker:** The member will ignore the interjections and address his remarks through the Speaker.

**Mr. Swart:** OK, I will ignore the interjections. I think that was a friendly interjection, so I wanted to hear it.

**Hon. Mr. Conway:** Mel, did you ever shop in Lackawanna on Sunday?

**Mr. Swart:** Mr. Speaker, perhaps I have an obligation to ignore the interjections, and perhaps other people have an obligation not to make them.

**The Deputy Speaker:** The member is quite correct.

**Mr. Swart:** I was saying that I have spent about 21 years in municipal life and have had rather a close association with municipal people. I think I know what they are thinking and how they feel on this issue.

Third, this issue does in fact relate, to a very substantial degree, to values in our society. What the bill we have before us does—as do the two bills—is really to take a further step in the precedence of commercialization over family values. There is no question that is what this does. It is a move to give higher priority to commercialization over family values in our society, and I am really quite concerned about the attitude of the Premier (Mr. Peterson) and the Liberal government's indifference to these values in our society.



It does not matter whether it is beer and wine in the grocery store, which would have had some negative impact on values in our society; whether it is inaction on practices in the bereavement sector, which I do not think a decent society should permit and which this government has refused to take action on; whether it is that they are now proposing to extend the drinking hours in our society, or whether it is their indifference to the tremendous housing problems that we have in our society—all of these have an impact on family values in our society, and it is a negative impact.

**Hon. Mr. Conway:** I'm going to tell George Samis what you just said. George Samis was a good family man.

**The Deputy Speaker:** Order, please.

**Mr. Swart:** Mr. Speaker, the House leader for the Liberals keeps interjecting. Perhaps you could call him to order.

**Hon. Mr. Conway:** On a point of order, Mr. Speaker: I want to say that, like the member for Welland-Thorold, I have great respect for the former NDP member for Cornwall, and to hear his memory and his legacy so attacked disappoints me.

**The Deputy Speaker:** Order.

**Mr. Swart:** The member for Renfrew North (Mr. Conway) neglects to mention, of course, all of the support that there was on his side of the House. If he derides the former member for Cornwall, then of course it applies to his own members as well.

Mr. Speaker, if I can continue, and I am sure you would like me to, rather than dealing with interjections I want to say that there is a trend in the Liberal government since it has been in power to show less concern for the family values and, for that matter, the general values in our society and to give priority to commercialization.

In fact, I suggest that the Premier is really quite an admirer of United States values. His yuppie attitudes seem to be oriented towards the values they have in the US, and the things I have mentioned which are patterned after US values would clearly indicate that. I do not want to overemphasize this, but the facts are that the bill we have before us does, to some extent, lessen those values in our society.

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If they like the US, if they want to move in that direction, I might remind them that there is no democracy in the western world which has a higher degree of crime, a higher degree of family violence or a higher degree of family breakup than does the US. Yet that is the direction in

which the Liberal government here is moving with regard to its values.

Almost everything in the US—and the way we are moving to a greater extent here—is subordinated to the marketplace. It is all subordinated to the marketplace. It is the marketplace that makes the decision.

Interjections.

**The Deputy Speaker:** Order.

**Mr. Swart:** Apart from that, I suggest this bill is totally impractical; the bill is in fact hypocritical and it is sleazy—

**Mr. Ballinger:** That was a direct hit.

**Mr. Swart:** That was a direct hit; the member is right. Another term for a direct hit, I think, is an objective observation.

**Mr. Ballinger:** In other words, a low blow.

**Mr. Swart:** It is all of those things. Transferring the decision-making authority on this to the local governments has nothing to do with common sense. It has everything to do with buck-passing for reasons of political expediency. That is the real answer to this.

The most recent speaker, who has now left, the Minister of Colleges and Universities, said she is in favour of a pause day but fully supports this legislation. The present legislation we have on the books provides for this pause day in all municipalities. The proposed legislation permits the pause day to be abandoned in all municipalities. To say you support a pause day—

**Mr. Ballinger:** That's no change. It's just as it was before under the tourism option.

**The Deputy Speaker:** Order.

**Mr. Swart:** —and at the same time support—

**Mr. Philip:** Try to get a tourist option for Mississauga. Try to get a tourist option for Vaughan.

**An hon. member:** You can.

**Mr. Philip:** Like hell you can.

**The Deputy Speaker:** Order.

**Hon. Mr. Kerrio:** Mr. Speaker, I cannot hear with all that noise over there.

**Mr. Swart:** I am having the same trouble over here.

Interjections.

**The Deputy Speaker:** I am trying to make it so that any member who speaks is the sole member and is heard by the Speaker and others, regardless of the party, and you do not make it easy for the standing orders to be respected. There is a question-and-comment period for members who want to respond, but not during the

speech made by the member who has the floor. The member for Welland-Thorold may continue.

**Mr. Swart:** Thank you, Mr. Speaker. I just want to proceed by saying that all the arguments used by the Solicitor General (Mrs. Smith)—and I believe the exact words she used were “the present law is not enforceable”—and by the Minister of Colleges and Universities that the new law is more enforceable, are simply nonsense.

It simply is not the case. It is pure subterfuge. Can municipalities enforce the law better than the province? In fact, it will be more difficult. You will have two laws to deal with. You will have the local municipal law and the provincial law to deal with. You will have two laws instead of one. It will be much more difficult to enforce them.

It will vary to some degree from one municipality to another across this province. Of course, when you have laws that vary from one municipality to another, it is much more difficult to enforce those laws; it is not easier to enforce those laws.

Perhaps the first thing I should say is about the Minister of Consumer and Commercial Relations (Mr. Wrye). As soon as this bill was tabled in the Legislature, he was asked whether that would permit the liquor stores to open on Sunday and he said, “Oh yes, I guess it would.” He guessed it would. Then within a day’s time, or a few hours’ time, he had to do a complete flip-flop on that and say, “No, it wouldn’t.”

The pharmacies are covered under provincial legislation, Mr. Speaker, as you well know, although some across there may not know it. They are covered under the provincial legislation. What are you going to do with more than a drugstore, that type of a business? What are you going to do with that? The province is going to have to determine what the drugstore is, so we will have two authorities that are going to be making laws and, in fact, administering those laws. I suggest to the government that it is going to be much more difficult; it is not going to be easier.

When the Solicitor General gets up to make her too many comments about what I say, I would like her to tell me how it is going to be easier for the regional municipality of Niagara to administer this act than it is for the province. In the regional municipality of Niagara, there is every type of municipality. Some of them will be fighting with others to get their municipalities open. We know what happened there rather recently with regard to tourism: the province has turned down some in that regard. It is not going to

be any easier for them to design what should be done in Niagara, with every class of municipality. And as regards the classification of tourism, if you will, it will not be any easier for them to do that than the province. Anybody living in the Niagara region knows that.

Of course, the municipalities do not want it. I listened to the minister state in her introductory comments how this is a great idea. This was really the right answer: to give it to the municipalities, which will then be able to look after their own municipalities and be able to do the right thing. It is a total flip-flop, but we will come to that later.

As I say, I was in municipal life for a long time, and I think generally the municipalities want to do the right thing for their people. They want to do the right thing, and they have already said what is the right thing; that is, this should be left at the provincial level.

For the first time in his life, the member for Renfrew North is speechless. He waved his hands but nothing came out. It is not too often that nothing comes out. Usually, there is a noise.

**Hon. Mr. Conway:** Your confusion is breathtaking. The tourist exemption is local option, and my government has been exercising it for years. I don’t know what you’re talking about, because the world you’re complaining about doesn’t exist.

**The Deputy Speaker:** Order, please.

**Mr. Swart:** I am paying attention to the Speaker, and he admonishes me that I should not deal with interjections. That is more than others are doing when he says they should not interject. Right, Mr. Speaker?

**Hon. Mr. Conway:** You’re exciting me, Mel. You’re provoking me.

**Mr. Swart:** I do not think that is the right word.

**Hon. Mr. Conway:** You called my colleague the Solicitor General the architect of this sleaze bill. I’ll tell your wife.

**The Deputy Speaker:** Order, please. The member for Welland-Thorold may continue.

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**Mr. Swart:** They simply do not want that authority, because they want to do the right thing for their people and they cannot do the right thing. They know they are going to be forced into opening up if the neighbouring municipality opens up. They know that and they do not want to be put in that position.

I do not think I need to remind the House leader or anyone else there on the Liberal



benches about the resolutions that have been passed by the municipal associations and by the executive of that—

**Miss Martel:** Remind them.

**Mr. Swart:** Perhaps I should remind them that after they proposed this, the executive of the Association of Municipalities of Ontario voted 58 to 3 against transferring this authority back to the municipalities. That is about as near unanimous as you can get.

It is all right, quite frankly, for the Liberals to say—because it is what they are saying—that the municipalities do not know what is best for their people, because that is what this bill says and it is what they are saying to them, when 58 to 3 vote against this legislation and then this Liberal government is telling them they do not know what is best for their people; “We know what is best for the municipalities and we are going to give them this authority whether they want it or not.” That is what they are saying to the municipalities.

I hope the minister will deal with that issue, this contradiction, when she gets up. She says this is right—best—for the people in those municipalities that their councils have a local option and the local councils are saying: “No, it is not. It is much better to have a uniform system left with the province.” I want her to get up and say how she resolves that contradiction. Is she saying to those municipal people that they do not know what is best for their people? Of course she is, but I would like to hear her deal with that.

I think it is significant that in this chit that was put out by the government, which is supposed to explain this whole issue, supporting the transfer of this authority of municipalities, it does not deal with local option at all. They use a couple of examples in here. They use one in Calgary and then they have a very lengthy document in here of blue laws. I do not know; it has 30 or 40 or 50 pages.

Do you know what both of these documents say? They say wide-open Sundays are good. They do not say anything about local option.

**Mr. Ballinger:** No.

**Mr. Swart:** They do not? Then the member has not read it.

**The Deputy Speaker:** Order, please.

**Mr. Swart:** There is not a thing in here that says anything about local option. This one is headed Blue Laws: The History, Economics and Politics of Sunday-Closing Laws, by David N. Laband, of Clemson University, and deals with all the advantages of having wide-open shopping

on Sundays. That is what it is about, and this is what they give the members of this House to justify local option? They know the end result of local option—at least their staff knew it when they prepared these and put them in this document—is going to mean wide-open Sunday shopping.

Interjections.

**Mr. Swart:** Why put these documents in here supporting wide-open Sunday shopping?

Interjections.

**The Deputy Speaker:** Order.

**Hon. Mrs. Smith:** For those who want wide-open shopping.

**The Deputy Speaker:** Order. The member will sit down, please. I think there is another period of rest and relaxation required. The House is restless this afternoon, I can see; it must be the nice weather outside, but inside, the member for Welland-Thorold may continue.

**Mr. Swart:** Thank you, I will continue, Mr. Speaker. It may be inappropriate to comment on your remarks about the nice weather outside, but I will tell you why they are restless, and they have been restless since this debate started on Monday. They are restless because they are sensitive. They know the people back in their own ridings are opposed to this bill which they have before this House. That is what makes them restless and they feel they have to defend this decision.

I have never seen those benches over there so sensitive as they are at the present time. With all due respect, it does not have anything to do with the weather outside. No, it has a lot to do with their consciences being uncomfortable about this legislation.

I have here a copy of yesterday's Toronto Star that is rather interesting. “Peterson Says Opposition MPPs to Blame—Sunday Shopping Bill Misunderstood.” Poor Premier. The people out there misunderstand. The story begins, “Opposition MPPs are intentionally promoting ‘misunderstanding’ about the government's Sunday-shopping legislation, Premier David Peterson says.”

Do you know, Mr. Speaker, what bothers the Premier? Do you know what bothers all of those people over there? It is that the public out there does understand it. That is what really bothers the government members. They understand this will lead to wide-open Sunday shopping. They understand this legislation is being passed to pass the buck back to the municipalities. I say to you, Mr. Speaker, that they want the buck passed back to the municipalities because they may lose some

votes if they keep the legislation opposing open Sundays or if they pass legislation.

The public understands. A year or so ago, 40 per cent of people were opposed and 60 per cent were in favour. That is why that is reversed now: because they have come to understand what this legislation really is.

Even if it did not lead to wide-open Sundays, this legislation is simply unworkable. My colleague the member for Etobicoke-Rexdale (Mr. Philip), quoted from speeches in the Nova Scotia Legislature when, after two years, they reverted to provincial jurisdiction after doing the kind of silly thing the government is doing in the bill it has here. He quoted from the Attorney General down there, I think, but I do not think he quoted some of the other members.

I want to quote Vincent MacLean: "Mr. Speaker, I congratulate the minister for bringing forth this piece of legislation. Our caucus will be supporting the legislation because we feel and have felt for some time that there should be a uniform application of the act across the province. Whatever the application of law that is going to be enforced, I think the government should have a pretty close look at it and come out and espouse a principle. If it is going to be open on Sunday, well, so be it; there will be some flak on that. If it is going to be closed on Sunday, there is going to be some flak on that. But espouse a particular principle, draft the legislation to see that people are treated equally."

I will stop there. That was a Liberal member speaking for the Liberal caucus in Nova Scotia just last year.

**Mr. Ballinger:** This is Ontario.

**Mr. Swart:** That is right.

**The Deputy Speaker:** Order, please.

**Mr. Swart:** Do you know, Mr. Speaker, not only does that political party over there have different views from Nova Scotia and other Liberal governments in Canada, they have a different view from one day to the next and one month to the next. This is the third flip-flop they have done on this.

**Mr. Ballinger:** Listen, you do not hold any option on that.

**Mr. Swart:** No, but boy, you really perfected it.

**The Deputy Speaker:** Order. Please address your remarks through the Speaker.

**Mr. Swart:** Yes. To you, Mr. Speaker, I just want to say they have perfected the flip-flop. Mind you, they had good teachers in the government which was there prior to them, but

they really have excelled, I think, since they have come to power.

I say to the minister—

**The Deputy Speaker:** Through the Speaker.

**Mr. Swart:** —do not go on trying to kid the public and play games. We know what you said—

**The Deputy Speaker:** Please address your remarks through the Speaker.

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**Mr. Swart:** Through you, Mr. Speaker, to the minister, we know what she said and it has been quoted many times, that it would be chicken to give it back to municipalities. We know the minister signed that report which was tabled a year ago. It was very clear in the fact that there should be a common pause day and that this should be not transferred back to the municipalities.

She signed that report and to stand up now and somehow or other try to defend this legislation, I suggest to her is quite a convolution. I am really impressed how remarkably well she does it, but is a convolution that really nobody will accept. Of course, it is not only her but it is the Premier as well. I would say that the minister was mugged in the corridors of the supermarkets but she was not mugged by her opponents, she was not mugged by her bureaucrats, but really it was her own cabinet colleagues—primarily the Premier—who mugged her for their own political expediency in bringing in the wide-open Sundays.

I do not intend to go into the pros and cons of the matter of open Sundays to any great extent. I spoke on this in some detail when we had the special debate at the opening of the session, and my colleague here and the members of the third party, I think, have put forth practically all the arguments against having wide-open Sundays, or put the other way, of having a uniform common pause day throughout this province.

But I do think we should once again remind the government of its lack of credibility on this matter and its convoluted flip-flop over a period of time. We know in the election campaign of 1985, the Premier flatly gave a promise that they would have open Sunday shopping all across this province.

**Hon. Mrs. Smith:** Only where they want it.

**The Deputy Speaker:** Order, please.

**Mr. Swart:** Mr. Speaker, I am not speculating on anything. I just made a flat statement that there was a promise given by the Premier in the 1985 election that in fact they would rescind the legislation which prevented shops from being open on Sunday and would permit Sunday



shopping. If members want to get the documentation on it, I will be glad to provide it. That was a statement they made.

Then we had the select committee report. Then we had the Premier stating during the last election and before the last election saying that he was not going to change the legislation which we had. According to the Toronto Stun-Sun—

**Mr. Pelissero:** Stun?

**Mr. Philip:** You were right the first time,

**Mr. Swart:** —Stun is right sometimes—it said “Premier David Peterson had no plans to make major changes to Ontario’s controversial Sunday closing law.” That was during the election campaign back in August. “‘In my own view, you try as best you can to reflect the value of society on an issue like that,’ Peterson said, adding that was what the government tried to do by striking an all-party legislative committee to study the subject. He said, ‘I accept that advice. I don’t plan any immediate changes.’”

I do not know what immediate is, but it was only three months after that when, through his minister, he proposed that there would be legislation which would permit wide-open Sundays all across this province.

It is strange too, because they do that kind of a flip-flop on the surface when public opinion shows now that 60 per cent of the people of this province are opposed to it. I guess when they made that change in December that poll had not come out, had it? The latest poll showed that something like 58 per cent of the people in this province are in favour of Sunday shopping, so the government decided it would go ahead. I suppose even with Liberals there is a limit on the flip-flops they can do. They may figure that three in two years is enough, so now they are going ahead and bringing in this legislation.

**Mr. Black:** Point of order.

**The Deputy Speaker:** Under which standing order?

**Mr. Black:** I do not know which standing order, but I am doing my best to hear the speaker and I cannot hear because of the interjections of members of his own party. Could you ask them to be quiet so that I can hear the speaker?

**The Deputy Speaker:** The member for Welland-Thorold will continue.

**Mr. Swart:** I just want to say that if the member who just spoke resents the fact that I have so many cheerleaders behind me, then perhaps he should organize a rally for himself the next time he speaks.

I just got my survey in. I suggest that public opinion is moving still further away from open Sundays, still further away from this legislation. I got my constituents’ replies back in the last three weeks, and 83 per cent of those 615 people who replied were opposed to this legislation. With the previous constituent leaflet which I sent out a couple of years ago, there was something like 60 per cent opposed.

Now, I do not profess that these accurately reflect public opinion, but relatively, they do reflect public opinion. Anybody who sends out a constituent leaflet with a questionnaire will know that they do, to a substantial degree, give an indication of what the people in his area are thinking. I suggest that the public is more and more dissatisfied with what this government is doing in this regard.

It is clear that once the pros and cons on the issue got fully before the public, they decided against it. They know that a lot more people, especially women, are going to have to work on Sunday. They know that the legislation itself is totally unsatisfactory. We will not be able to police it. We cannot even police the health and safety legislation that we have. How are we going to police this kind of legislation, with different rules in every municipality in this province?

They know that it is going to adversely affect society. Every organization—and I want to point this out—that is concerned with family integrity says no to open Sundays. Every organization. There is not a church organization that has not come out in opposition to this. The social agencies are in opposition to it. All of those groups that are concerned with values in society are opposed to this legislation, and they know it will hurt small business.

I guess this shows more than anything else how the government is prepared, when it has this kind of a majority, to ignore the wishes of the public.

In conclusion, I want to say two things. I hope when these hearings are held across this province, the public comes out en masse, as I am sure they will, to tell the government members what they think of their legislation. Finally, let me say this: I hope and challenge the government to make this an issue in the by-election in Welland-Thorold. I challenge it to make that an issue, and I say it will get the kind of rejection it deserves.

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**Mr. J. M. Johnson:** Just very briefly, I would like to commend the member for Welland-Thorold for an excellent speech. It may be

towards the end of his career but he is certainly carrying on in a very diligent manner and his suggestion to make this an issue in the by-election in Welland-Thorold is absolutely tremendous and I know that this party will support that position.

**Mr. Chiarelli:** The member for Welland-Thorold has just provided justification for an editorial which appeared in the *Ottawa Citizen* in April of this year. If I can quote, the headline is: "This Obstruction Should Be Fixed."

"Grandstanding and gimmickry are inevitably a part or a price of democratic politics but there must be limits. The New Democratic Party has succeeded in attracting the media spotlight by using devious tactics to paralyse the Ontario Legislature. Now it should start acting responsibly. It should use its collective ingenuity to offer an alternative to the Sunday shopping legislation it is manoeuvring to block. So far, all Ontarians know is that the NDP does not like the government's plan to phase out the hodgepodge of Sunday shopping rules that exist across the province. The only thing that vaguely resembles an NDP or Tory policy on Sunday shopping is the notion that there should be public hearings on the issue."

With the member's comments we still do not see one constructive suggestion or comment on how to amend this legislation or how to change it. I would like to see not only mass participation in the committee hearings that are coming forward, I would like to see some mass participation in constructive comments from the NDP and the third party.

**Mr. Philip:** I am surprised that the *Ottawa Citizen* and the member for Ottawa West are so ignorant that they do not realize that we signed, as did the Liberal members, a select committee report. The only difference is that we are consistent; when we have signed something or put our names on it, we stick to that report. The Solicitor-General and the Liberal members in this House do not.

I do have a question to the member for Welland-Thorold. Under the system that we have had up until now, there was at least a tourist exemption and the local municipalities had some idea of what it was to have a tourist area and at least made a decision based on what they conceived a tourist area to be.

I ask the member for Welland-Thorold, as a former mayor and municipal councillor, is there anything in this bill that gives any kind of directions by which a municipality might decide what in fact will be open, or will the local council

simply be faced with the tabula rasa in which anybody who wants to give any kind of reason why they want to stay open on Sunday will, in fact, have to be given an opening on that Sunday? Where is the leadership from this government? Where is the criteria put into this bill by which the local municipalities can decide how they will judge whether or not the stores should be allowed to be open on Sunday? Where is the leadership?

**Ms. Poole:** I have great respect for the member for Welland-Thorold but he did make a comment that raises concern of mine. He said that everyone concerned with family integrity is opposed to this legislation. I would like to assure him that is simply not true. Every member in this House is concerned with family integrity and protection of the family. There is not one member here who is not.

As he raises the spectre of family life disappearing in this province because of this legislation, I just say to him it is nonsense. Families who wish to worship on Sunday will continue to do so. Families who wish to spend time together will continue to do so. I just say the family is a very resilient institution. Its fate will never hinge on a single act of this parliament. I think it is presumptuous for us as legislators to think that we have the power to make or break the family. The family has existed through the centuries. It has weathered war and famine, dramatic changes in values and traditions, upheavals and criticism. It has survived intact. It will not suddenly vanish because a store is open on Sunday. I firmly believe that, and that is why I am supporting this legislation. It does not impugn the integrity of the family. As the Premier said in the House not too long ago, family life simply cannot be legislated.

**Hon. Mrs. Smith:** I was asked to speak on enforceability. I would ask the members to consider whether they have looked at the two bills, the old one and the new one, side by side. The member for Etobicoke-Rexdale (Mr. Philip) asked, will municipalities have to decide? Will they have to make all these decisions? Has he read the bill? The bill states that the provincial framework will be in place unless and until the municipality decides to change it. If a municipality does not want to decide anything, the provincial framework which is in the old bill is in the new bill; it is still there.

Now, under the old bill, the way to get around the provincial framework, if a community so chose, was by section 4 which said, "If you want to declare yourself a tourist area, you may do so." That was not enforceable. That is what was not



enforceable and remains in the old bill not enforceable. We recognize that and—

**Mr. D. S. Cooke:** Why didn't you say that in the select committee, Joan?

**Hon. Mrs. Smith:** Because I believed at that point it could be enforceable, but having talked to many lawyers, I now realize it is not enforceable because we cannot make a way by which it is enforceable. All the municipalities which have taken advantage of this clause to open for silly reasons have proved that the clause is not enforceable. We recognize that and we put it up front.

We say to the municipalities: "We have a provincial framework. That is the law unless you choose for any reason to change it and then you can change it the way you want. You do not need to lie and claim you are a tourist area or a tourist occupation. We recognize your right to make your town reflect something other than what we have put in place," which is the same as what was in place before. It is the provincial structure. This is enforceable and that is the difference.

**Mr. Swart:** My colleague the member for Etobicoke-Rexdale answered the member for Ottawa West (Mr. Chiarelli) fairly effectively. We have been consistent on this. It is not we who have changed. We have been constructive. We believe the report of the select committee was a constructive report.

Legislation should have been based on that. We have not flip-flopped around. It is the Liberals who have flip-flopped on this issue. We are being constructive when we support a report which is an all-party committee report, and we think legislation should have been introduced on that instead of this change that the government has made.

My colleague the member for Etobicoke-Rexdale asks me if there is anything in this legislation to define a tourist area or for that matter to define anything else. The answer is no. The municipalities themselves are going to have to define this. I suggest to you, Mr. Speaker, to raise this issue that they are going to have—

**Hon. Mr. Kerrio:** That's local option.

**Mr. D. S. Cooke:** That's passing the buck.

**The Deputy Speaker:** Order.

**Mr. Swart:** If this government with all the money it has to spend on experts cannot define tourism, how is the regional municipality of Niagara going to do it? Not only that, but the local jealousy there, which has already come out between one municipality and another that wants to stay open, will inhibit the kind of criteria being

adopted, and it is necessary to define that. This government could have done that here.

With regard to the comments on family integrity, that I had said that everyone concerned with family integrity—

**The Deputy Speaker:** The member's time is up.

**Mr. Swart:** I will conclude with one sentence. I said every organization, not everyone.

1640

**Mr. J. M. Johnson:** At times it is very discouraging to listen to the comments from the Liberal Party, the government party. They do not seem to understand what is going on, especially in this debate.

I was very encouraged to read the Instant Hansard of yesterday, and I would like to quote very briefly from that pertaining to the comments made by the member for Frontenac-Addington (Mr. South). I think he sits over there.

The member says: "I would agree with the member for Mississauga South that we, the government...will learn much from listening more closely to the opposition. They made some very good points. I want to recommend especially and commend the member for Nickel Belt (Mr. Laughren) and the member for Wellington (Mr. J. M. Johnson) and the member for Mississauga South, who have made some very good points."

I would go on to say more, but members can read it for themselves. It is on page L-72.

Having said that, I am pleased to have the opportunity to participate in this debate and to once more express my very strong opposition to Bill 113 and Bill 114, the so-called Sunday shopping legislation.

As we go through life, we are called upon to make decisions from time to time that are not earth-shattering or of major importance in the vast scheme of things. Today, in debating Bill 113 and Bill 114, we have such a case in point. Some people feel it is of little importance whether this legislation passes or not. Others are very deeply concerned about the ramifications of this legislation.

I personally feel it is not the legislation that is of importance but the principles that flow from this type of legislation. The day this legislation passes, as it will because of the massive Liberal majority, our society takes another turn away from our traditional family values inherited from our forefathers.

Sunday will become just another day, a day of commerce, not a day of rest and not a pause day to allow families to share some time together. In

many cases, Sunday is the only day that they are able to spend together as a family.

I am sure that many members of this assembly would not understand that even today, many farmers will not work their land or take off their crops on Sundays. This is something that people do not understand. There are people in rural Ontario who think that Sunday is something special and they want to preserve that way of life.

Speaking for the vast majority of the people in Wellington, Sunday is a day of rest and a day they respect. This legislation further erodes that way of life.

**Mr. Ballinger:** It does not.

**Mr. J. M. Johnson:** Let me finish, and I will point out why I say it erodes this way of life.

**Mr. Ballinger:** I believe it's why people are in favour of Sunday shopping.

**Mr. Speaker:** Order. Order.

**Mr. J. M. Johnson:** It dismays me, as I try to comprehend the philosophy of many people who wish to protect our heritage and our historical buildings, yet have no regard for our moral philosophy, our forefathers' standard of living, or the traditional family values. Are buildings more important than people?

Sunday has always been a special day in Ontario, a day of traditional worship for many of our people, a family day, a day of rest, a common pause day and a day to be with your family. When this legislation passes, all that will change.

Let me use just one example. When a small family retail business is forced to open on Sundays because the opposition decides to stay open, it compels the father and mother to work in the store on Saturday and Sunday, the only days their children are not in school. When will this family have any time to share a common pause day? Will this not cause more serious social problems through our society? I certainly think it will.

Naturally, the same situation would apply to the employees of larger retail stores.

Perhaps I am overly concerned about this issue and the impact on the social fabric of our society and our family structure because I am closer to it than many of the members here. I have a son in the Anglican ministry, and he tells me of the tremendous social problems that people are having to cope with the problems today. Wide-open Sundays will only add to this problem. Perhaps I have a conflict of interest trying to protect my son's job, but surely the government would not close the churches.

**Mr. Ballinger:** That is the most outrageous statement I have ever heard.

Interjections.

**Mr. J. M. Johnson:** They are not going to close the churches.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. J. M. Johnson:** Just as an aside, I was driving through the little village of Hillsburgh the other day. There is a church on Highway 25, a Baptist church that the former member John Root attends. He is a very religious man and a man who served this province well. On the side of the church there is a sign, "Open Sundays." I wonder if there is a message there.

Regardless of the assurance of the government that this legislation will not create wide-open Sundays, hundreds of my constituents have asked me to voice their concerns that indeed that is exactly what it will do. I would like to deal with this again in a few minutes.

I would like now to turn to the local-option issue. One week after stating that handing the entire issue over to municipalities would be the chicken way out, the Solicitor General stood up in the Ontario Legislature and said, "It is the intention of the government to introduce in the new year legislative changes allowing individual municipalities to regulate Sunday openings." That was on December 1, 1987. The government has taken the chicken way out, and I hope the chickens come home to roost.

The Solicitor General has also admitted—and I would like the members to listen to this—that the so-called municipal option will eventually lead to wide-open Sunday shopping because of the domino effect. That is also the concern of many of my constituents, and I share that concern.

Regarding the local option, what do the municipalities of Ontario think about it? I will not repeat it in detail, because the member for Welland-Thorold has mentioned it, but they were nearly unanimous in their decision that they did not want it. I will just repeat the resolution they made,

"That the Premier and executive council of Ontario be advised that the Association of Municipalities of Ontario maintains its position that municipalities should not be charged with the responsibility of regulating retail store openings on Sundays and holidays."

**Mr. Pelissero:** When was that resolution passed?

**Mr. J. M. Johnson:** That was passed in February.



**Mr. Pelissero:** Before the legislation came out. That is very interesting.

**Mr. J. M. Johnson:** They go on to say:

"It is abundantly clear the retail shopping patterns are not dictated by municipal boundaries either at the local or regional level. By no stretch of the imagination can the regulation of store hours on a Sunday or holiday be viewed as a matter which properly comes within the influence of a local council."

I do not think it makes any difference whether it was February or June, that still prevails.

Why does the government not listen to the municipalities? The government talks about local autonomy. They tell the government what they want and the government will not give it to them. They tell them what they do not want and the government gives it to them.

I represent 21 municipalities. There is not a single municipal council that has indicated to me that it wants this responsibility, and the vast majority of them have said they do not want it.

**Mr. Chiarelli:** Are they capable of handling it?

**Mr. J. M. Johnson:** Does it say that those people do not care?

**Hon. Mr. Kerrio:** Certainly I do.

**Mr. J. M. Johnson:** Surely, Vince, of all people, you care. I am sorry, Madam Speaker, that is the Minister of Natural Resources.

**Mr. Pelissero:** Through you.

**Mr. J. M. Johnson:** Through you. And through you, Madam Speaker, I would like to mention some comments to the Minister of Municipal Affairs (Mr. Eakins), the former Minister of Tourism and Recreation. He is not here today, but he is a good member and usually is here.

The minister said: "The current situation has been a hodgepodge. For the tourist areas to open is important because of the emphasis on tourism in Ontario."

I agree. There are problems. If the current legislation creates a hodgepodge situation, what will happen with this legislation? There will be 839 municipalities trying to deal with this so-called flexible legislation.

1650

**Mr. Pelissero:** It clears it up.

**Mr. Black:** You have no confidence in municipal politicians.

**Mr. J. M. Johnson:** If the member reads section 4 of Bill 113, and he should read it before he makes so many comments, the section giving

municipalities the powers to regulate holidays and Sundays, each and every municipality could have a different piece of legislation and set of bylaws. Now that is a hodgepodge.

If they think the situation now is a hodgepodge affair, wait until we have hundreds of conflicting pieces of municipal legislation. Then chaos will indeed set in. The ultimate result will be the government stepping in to resolve the issue by making the province wide open. Retail shopping on Sundays will become a fact of life. Just as the Solicitor General has predicted, it will eventually happen.

**Mr. Black:** Nonsense; it won't.

**Mr. Villeneuve:** You don't believe your Solicitor General.

**Mr. Black:** It won't happen and you know it.

**Mr. J. M. Johnson:** Surely the member is not saying the Solicitor General is inaccurate? Has anyone over there on the government benches, and the people on this side, considered the impact this legislation, Bill 113, will have on municipal councillors? This is an election year for municipal councils and this will be one of the major issues facing every council, every candidate.

The candidates will be faced with the question, "What is your position on Sunday shopping, and if elected, what do you intend to do about it?" Is it fair to place that question to the candidates, some of whom have never had any experience with this type of legislation? It is easy for the people who come from large cities, who have many lawyers and staff and waste many dollars paying for advice they should know themselves, and do not, but what about the many small municipalities, the councils—for example, in my riding, there are 21 small councils, some for a population of 1,000. They do not have the dollars to spend on lawyers, seeking advice on this type of legislation.

It is so bloody complicated those members do not even understand it. Many of the lawyers would not understand it. How can they properly draft legislation that hopefully will achieve the results we are all looking for? The minister knows it is complicated and it is a problem. It is going to be difficult for small municipalities to deal with it. Section 4 of Bill 113 is so convoluted it would be next to impossible for most councils to deal fairly with all aspects of it.

Under section 4, the council "may by bylaw permit retail business establishments to be open on any holiday" or may require them to be closed. They may restrict the class of business establishment. They may control the hours and holidays. They may restrict opening to specific

periods. They may classify businesses "by size, number of employees, character of business, geographic location"—and for good measure, just to cover everything, the government adds—"or any other criteria."

Is that sensible legislation? A councillor would need the wisdom of Solomon to deal fairly with this convoluted legislation.

Madam Speaker, I would like to address an aside to you that I think maybe touches on the point I am trying to make. When I was mayor of my home town of Mount Forest, I owned a retail business. I could have designated my store as the only one open on Sundays and holidays. I would be the only one open in that town. All I had to do was convince the council to go along with me and we would have had a nice, cosy relationship.

**An hon. member:** Cosy or clothesy?

**Mr. J. M. Johnson:** Either one.

I would open my store and close the opposition. I would assume that I would have had a conflict of interest if I did that.

**Mr. Pelissero:** That is a good assumption.

**Mr. J. M. Johnson:** It is.

I asked that question to the Premier (Mr. Peterson) three, four or five weeks ago. I said, "Do you feel that municipal councillors—in small towns, many of whom are retail merchants, having to make decisions like this—would be in conflict?" The Premier sloughed it off and said, "No way."

I disagree with the Premier. They certainly would be in conflict in my estimation. That, again, is one of the problems with this in the small municipality. I imagine that chap Mel Lastman, who used to have a few stores around, would have had a slight conflict at one time.

I will move quickly along to the government itself. This is a great government. The government owns and controls bookstores and banks. It has many government offices that serve the public. It has the say in the courts, the registry office and even has a vital say in the operation of our schools, colleges and universities. Is it intending to open any of these facilities for the use of the public on Sundays and holidays? The answer is, of course not; never on Sunday. Let the other people work on Sundays, but not the government people.

Why should the public not be served by the courts? Why should they not be served by the government bookstore? Why should the registry office not be open on Sundays? If a municipal council passes this bylaw saying its stores can be open on Sundays, it should apply to the liquor

stores, the registry office and every government office in that town.

I questioned the Minister of Consumer and Commercial Relations (Mr. Wrye) in the House several weeks ago about this very point. This minister is responsible for the Liquor Control Board of Ontario operation, the retail liquor stores and the brewery stores. I asked the minister whether, if a town council decided on an open Sunday for its municipality, the government would allow liquor and beer stores to be open on Sundays and holidays? He muttered something in the House. He was not even sure of what he was saying, but thought that the responsibility was with the board; that he did not have any. He went out into the corridor where the Premier's people grabbed him by the scruff of the neck and told him that indeed it was his responsibility.

He came back in the House the next day and said, "We think that the number of hours that the liquor stores are open now is appropriate and we do not contemplate a change."

I agree with the minister's statement. I do not want to see the liquor stores open on Sundays, but I do not want to see all the other retail stores in Ontario open on Sundays either. I am just asking the government if it is not being hypocritical by saying that retail stores in the province should be open, but that government stores should not be open. It cannot have it both ways, not if it wants to be credible.

Just a brief comment on the companion legislation, Bill 114: the explanatory notes of this bill say, "Employees in retail business establishments...that are permitted to open on Sunday will be able to refuse work that they consider unreasonable." That sounds great. If the employer and the employee cannot agree on the issue, they may then ask for mediation. If mediation fails, "...the matter will be referred to an independent referee for determination." Several years later, before that employee reaches his retirement years, maybe the case will be resolved.

Having owned and operated a retail store for over 30 years, and having served on municipal council, the chamber of commerce and business associations for many years, I would like to advise the members of this Legislature that there has never been an issue that creates more problems in the business community of small towns than the question of retail store hours. Regardless of the Sunday issue, they have a tremendous problem resolving just the basic six-day-week, store-hours question. In many



cases, they simply cannot resolve the issue without fracturing their business community. I think most of the people from the smaller communities will understand that. Bill 113 will only compound this situation. The provincial government should and must take the leadership in this very important area.

**1700**

It is my understanding that Bill 113 and Bill 114 will be sent to committee for several weeks of public hearings this summer. If the government is serious with regard to these public hearings, then I support this initiative. But at the time of the free trade committee hearings, the government passed the resolution condemning the free trade initiative and then held public hearings. To the government House leader: how mad can one get? It is insanity.

Surely, if public hearings are going to be meaningful, then the committee must have an open mind and make the report to this Legislature based on the presentations it receives during its committee hearings. If that does indeed happen, then I, for one, will accept the results.

It is my personal feeling that the present Retail Business Holidays Act could be amended to clarify the ambiguous sections that have caused problems in the past and also to strengthen the powers in that act. We should not turn the whole mess over to another level of government to deal with.

The Solicitor General has stated that the government could not define the term "tourism," so therefore the present legislation is unworkable. Surely a government that has a Ministry of Tourism and Recreation and dispenses millions of dollars to tourist operators and then admits it cannot define "tourism" is a government that is incapable of governing.

On that note, I will conclude for the moment.

**The Acting Speaker (Miss Roberts):** Would any honourable member wish to comment on the remarks made by the honourable member?

**Mr. Chiarelli:** In my 10 short months in this House, I have come to respect the wisdom, advice and judgement of the member for Wellington, which he contributes from time to time. I say that sincerely, but I have to take strong exception to his comments when he suggests that because this is a complicated piece of legislation, rural councillors and rural councils will have great difficulty dealing with it and that this is perhaps the reason it should not be enacted.

I remind the member that these same councillors and councils are presently dealing with the Assessment Act, the Planning Act and the

Municipal Act, which are very complicated pieces of legislation. I think all members of this House should show greater respect for rural councillors and councils being able to deal with this type of complicated legislation. I think the people in the rural parts of the province deliberate on electing their councillors, and I think that we, as provincial members of the Legislature, should respect the people who are elected by these rural voters.

**Mr. Villeneuve:** May I commend my friend and colleague the member for Wellington for the comments he has made regarding Sunday shopping. Yes, I represent 23 municipalities, none of which wants the local option. There has been a clear message from the Association of Municipalities of Ontario that municipalities do not want the local option.

The member for Wellington represents small business, family-owned business. For 30 years, the man owned and operated a small business. The vast majority of small businesses are against the local option.

I attended a Coalition Against Open Sunday Shopping meeting in the city of Ottawa. The member for Ottawa West (Mr. Chiarelli) will be interested in hearing this. I represented my party and 1,500 people showed up, all dead against the local option.

The member spoke of local municipalities. His worship, Bryan Lynch, a man who tried to become a Liberal candidate in the last election, was heading up the CAOSS group from the city of Cornwall. We had Canadian Tire stores with the entire staff present saying, "No, we do not want the local option."

The Leader of the Opposition (Mr. B. Rae) was in Ottawa that night; I rode on the same plane back to Queen's Park with him. I was there representing my party. Not one Liberal member was there; not one. They did not want to face the music where the public was saying, "We do not want the local option."

From the select committee on retail store hours that travelled the province, the first recommendation unanimously said that we want a common pause day, that we must have a common pause day. Where are those people who were on that committee?

I again commend the member for Frontenac-Addington (Mr. South) who yesterday spoke on behalf of some of the Liberal back-benchers who have, all of a sudden, got the message from their constituents. Listen to him; he has got a good message.

**Mr. Reycraft:** The early part of the remarks by the member for Wellington had, as their principle, the fact that somehow people who work on Sundays have an inferior quality of family life, that this legislation is going to weaken the family structure in this province. I wonder if he has really thought about what it is he is saying.

There is a document out that I would recommend to all members, a book called *The Century of Sundays*, published just this year by the People for Sunday Association of Canada. I would like to read into the record one of the comments. They have concluded that "one in four of the principal wage earners in households already work on Sunday."

Think of that: a quarter of the principal wage earners in this province already work on Sundays. Something like 157,000 retail store workers in this province already work on Sundays. The member is suggesting those people have an inferior quality of family life. In fact, he mentioned that his own son is a minister. I am sure a good part of his duties are required to be performed on Sundays. I doubt very much that has threatened or weakened the quality of his family life. I wonder if the member might think about that just a bit longer.

The other point he made is that municipalities are going to be forced to do something they do not want to do, that they are going to be forced to make a decision they do not care to make. That is not the case. Under the current Retail Business Holidays Act, if a municipality does not think about Sunday retail store hours, the provincial framework stays in place and applies. Under Bill 113, if a municipality takes no action at all, and it need not, the provincial framework applies.

**Ms. Poole:** Like the member for Ottawa West (Mr. Chiarelli), I have the greatest respect for the member for Wellington, but I must say that I disagree with him when he claims this legislation is going to lead to wide-open Sunday shopping. He is ignoring evidence to the contrary.

We have heard time and time again that municipalities will fall like dominoes, but look at the evidence we have right now. Look at the town of St. George, which is in the riding of the member for Brant-Haldimand (Mr. R. F. Nixon). The whole town was declared a tourist exemption with open Sundays, yet we have not seen Paris, a nearby town, open on Sundays. We have not seen Burford open on Sundays. We have not seen any of the surrounding towns open on Sundays.

Take Point Edward as an example. It is the same thing. The towns around it are not opening on Sundays to compete with it. They have not followed suit.

I will give members another example right here in Toronto where the domino effect has not come into play. Municipal councils have had control over liquor licences for decades, yet there are areas in the city of Toronto that are still dry to this day. The domino does not always come into play.

The other thing is that the member for Wellington stated he has 21 municipalities in his riding and not one of them has approached him in support of this legislation. Well, the answer is simple. They do not have to do anything. There is a provincial framework right now, with this legislation, that will be in existence. They do not have to pass a law. They do not have to touch it. They can do nothing and operate within the provincial framework that says stores are closed on Sundays, with certain exemptions as specified in the act.

I think, if he looks at it, he will see this is good legislation and is not legislation that is going to lead to a domino effect or impact the municipalities in the way he thinks.

**The Acting Speaker:** The member's time has expired. The member for Wellington, in reply for two minutes.

**Mr. J. M. Johnson:** First of all, I thank the member for Ottawa West for the kind compliments.

Municipal councils dealing with this legislation do have a problem. They already foresee it and they have indicated they do not want it. I have had many resolutions, from practically every municipal council in my riding, saying they do not want the responsibility and to leave it at the Ontario level. They are telling me that is their decision.

My municipal councillors are good councillors and they have been elected by the people to serve them. They understand their limitations. I would hate to sit in council and try to make determinations on some of these issues. They are extremely difficult, and I tell members in all sincerity, I am concerned that it is a problem for them.

**1710**

The member for Stormont, Dundas and Glengarry (Mr. Villeneuve) and one other township has, as always, made one more fine speech and, of course, I agree with everything he said.

The member for Middlesex (Mr. Reycraft) said that I dwelt too heavily on the fact that



people who work Sundays have an inferior quality of life. I do not mean to imply that they have an inferior quality of life but I do not think they have the same opportunities as other people. My son is a minister and my son knows the people who would like to go to church and cannot because they have to work Sundays. That certainly bears heavily on families.

The member for Eglinton (Ms. Poole) mentioned that working Sundays will not impact on churches. I do not know how you can go to church and go to work at the same time. It is one or the other. The member for Eglinton also mentioned that wide-open Sunday shopping will not become a factor from this legislation; but the Solicitor General is the one who made the statement.

**The Acting Speaker (Miss Roberts):** The honourable member's time has expired.

**Mr. Pelissero:** I would like to address the issue of the impact this legislation will have on the industry that is worth more than \$9 billion to Ontario each year; that is, tourism. It is the inability to designate exactly what a tourist is that I would like to touch on in some of my remarks.

Before doing that, I want to say that tourism generated \$1 billion in provincial tax revenues last year, helping to build new schools, to pave streets and to maintain our standard of living in the province of Ontario. Tourism is one of the province's most efficient generators of gross domestic product, creating an additional 31 cents in income for every dollar spent, ahead of agriculture and the construction and transport equipment industries and only slightly behind the trade and finance sectors.

Close to half a million Ontarians depend on tourism for their livelihood. Its impact on employment and income is particularly significant in the regions that are dependent on nonrenewable resource industries. In northern and eastern Ontario, for example, the tourism industry generates over \$930 in gross domestic product for each man, woman and child.

Tourism's impact on the provincial economy is staggering. For example, \$1.8 billion in tourism dollars was spent in the retail trade sector in 1985. Another \$1.7 billion was spent in the food and beverage sectors. Nearly \$3 billion was spent in transportation and \$1.1 billion in accommodation.

Clearly, it is in the best interests of Ontario to encourage the continuing good health and growth of the tourism industry. The proposed legislation will do exactly that. Let me be more specific. Let me give you a little more detail as to why that will

happen. Shopping is a major tourist activity. In fact, shopping ranks second only to transportation in tourism spending in Ontario. Furthermore, shopping ranks third among attractions specified by tourists in selecting destinations.

The needs of each community in this province may differ. Mayor Heinz Hummel of Fort Erie explained his council's decision to allow wide-open Sunday shopping in his community when he noted that up to 22,000 cars enter Fort Erie from the United States each summer weekend, compared to 10,000 cars on weekdays. This weekend travel represents 25,000 Americans who come to stay at their cottages and pick up materials, according to the mayor.

Community leaders in Sault Ste. Marie expressed a similar conviction. In that community, the chamber of commerce as well as the economic development corporation encouraged the municipal council to adopt the tourism exemption. In their view, the use of the exemption "would create jobs, bring in tourist dollars and enable retail stores to compete with businesses in Sault Ste. Marie, Michigan, that open up on Sunday."

There are at least 25 municipalities that have used the tourist option to open. That means about five million people in this province have access to Sunday shopping currently.

While the use of the tourist option represents the intention of the old Retail Business Holidays Act to allow for the development of tourist areas, it does not represent the spirit of the law. While I am sure members believe that the tourist exemptions in their constituencies are entirely proper and necessary for the promotion of tourism in their areas, we can all point to some unreasonable abuses.

A store selling handmade furniture in Scarborough, for example, was granted a tourist exemption while just down the street a store selling manufactured furniture is required to close. In Toronto, Chinatown, Harbourfront and Markham Street have been deemed crucial to Toronto's tourist industries, yet one of Toronto's biggest attractions is the Eaton Centre and it remains closed on Sundays.

The problem with the tourist exemption is that no one has been able to devise a workable definition of tourism which eliminates some of the abuses of the present system without hurting communities which generally rely on this economic activity.

"What is a tourist?" some would ask, and we have had difficulty defining that. A tourist is not a person who wears shorts and Hawaiian shirts

and carries a camera around his neck. It is you and I, other Ontarians and Canadians. In fact, 80 per cent of the \$22-billion tourist industry in Canada in 1986 came from Canadians travelling within our own borders. That, in fact, is a tourist.

A graduated approach has been adopted in order to ensure that steps already taken by municipalities to foster the growth of tourism are preserved during the transition period. In terms of the triggering mechanism that a municipality uses, the province does not get involved in the discussion as to the delineation of the criteria that have been used by a local municipality in determining which areas should be designated for tourism, and there is no change in the proposed legislation to deal with how municipalities are going to use the criteria, so the criteria do not change, from the municipalities' point of view, as to what they want to do to encourage their local tourist industries.

I agree wholeheartedly with the Solicitor General, who has stated that under the proposed legislation communities will be able to allow Sunday and holiday shopping in whatever areas they wish but they will not have to stretch credibility by manufacturing a tourist area. It is a more coherent, more honest and fairer approach.

We recognize that needs and situations in this huge province vary from community to community. Many areas depend on tourism for their economic survival. We recognize that municipalities must be able to pass their own bylaws to regulate Sunday and holiday shopping, as indeed they presently can and do set hours for retail businesses on other days, in fact.

As a result, we have brought forward a fair and enforceable law that allows for the development of that tourism potential and for other unique needs and values of individual communities. This legislation will create jobs, bring in tourist dollars and enable retail stores in border communities, such as Sault Ste. Marie and Windsor, to compete with their American counterparts. Under the new law, tourism will continue to flourish and individual municipalities can choose how to best facilitate their own economic and tourism development.

I support the comments of the member for Eglinton (Ms. Poole) with respect to the domino effect. The tourist exemption is in place now. Some municipalities are using it while municipalities that border those municipalities are not. And it will continue to work under the proposed legislation in terms of the municipalities setting store hours that are unique and are individual

with respect to the citizens who live in those communities.

**1720**

**Mr. Philip:** The member has indicated that there are already a great number of tourist municipalities which are using the present legislation. He uses the example of Windsor. In Windsor, actually, those of us who were there and talked to them found many of them are upset that they did move in that direction because many of the merchants are not making money by that, but none the less, it was their decision and they used the tourist exemption.

If it is working so well, if all of these municipalities have been able to use the tourist exemption, why throw away the baby with the bath water? Why allow a municipality like Vaughan or Mississauga or any of the others to simply open up for any criteria? The criteria are not explained in the bill. Why allow them to virtually give a licence to stay open regardless of the law? In fact, that is what this bill does.

It says a municipality can reduce the fine right down to even \$1 if it wants. Why throw away everything that seems to be working, and that you talk about as working, by bringing in new legislation? Surely, if it is working as well as the government says it is, it does not need fixing.

**Mr. Pollock:** I am well aware of the value of the tourist industry to eastern Ontario. I just want to point out that I have talked to some of those tourist operators and people who are involved in the tourist industry there, and they are concerned about Sunday shopping, not because of this particular legislation and the way we interpret it, but because of the fact that if the big centres stay open, they have a fear that there will not be the influx into those rural areas that depend on those tourist dollars. It is a major concern to them.

The person who talked to me was no fly-by-night operator. He was a person who was truly concerned, who had a pretty good handle on things, and he was as concerned about the tourist business as anybody in my riding.

I agree with the comments of the member for Etobicoke-Rexdale (Mr. Philip). The member for Lincoln (Mr. Pelissero) mentioned the fact that we have all these tourist dollars flowing out there now, yet all of a sudden we have to fix the thing. It is not broken.

**Hon. Mr. Conway:** I have listened very carefully to much of this debate today and I am particularly interested in the comments of my friend and neighbour from Stirling, the member for Hastings-Peterborough (Mr. Pollock), as we



represent many of the same kinds of areas in rural eastern Ontario.

I have listened for so long to this debate and I do not know where it is that some of my friends opposite have been. I know where the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) has been because his views have been very clearly spelled out in the Glengarry News and elsewhere. He knows that if I go to Alexandria or St-Eugene or, I dare say, to Bancroft, where I often am on summer Sundays, the reality of the current act is that by virtue of a tourist exemption, municipalities large and small can and do open for some or all Sundays.

As the Solicitor General has quite rightly said, the good thing about this bill is that it puts in place a much clearer, stronger framework. The old order is not the perfection that my friend from Moose Creek, the member for Stormont, Dundas and Glengarry, would have us believe. I have to say that as I listened to the squire of Stirling talk about the impression left in rural Ontario—

**Mr. Pollock:** On a point of order, Mr. Speaker: The member for Renfrew North is supposed to comment on the comments of the member for Lincoln, not on mine. You should point that out to him.

**Hon. Mr. Conway:** I would point out that the member for Lincoln has rightly focused our attention on the reality of our contemporary society. Speaking as a member from rural eastern Ontario, we have a whole series of small municipalities which have open Sundays because the good people of Grattan or Airy or Deep River in my constituency have decided it should be so.

**Mr. Villeneuve:** I, too, want to comment on the member for Lincoln's very eloquent address to this Legislature. He mentioned some border towns. He did not mention the city of Cornwall, which is very much a border town, not only—

**Hon. Mr. Kerrio:** On a point of order, Mr. Speaker—

**The Deputy Speaker:** Order, please. Under which standing order?

**Hon. Mr. Kerrio:** Well, you heard the other point of order, Mr. Speaker. It is the same one that the previous member used.

The point of order is that if there is a discussion going on, I do not think someone who stands in his place to bring up a point of order should be taking away to any degree—

**Mr. Villeneuve:** I agree.

**Hon. Mr. Kerrio:** —the time that is allotted to the member.

**The Deputy Speaker:** Thank you.

**Hon. Mr. Kerrio:** If I were to reinforce that point, it would be obvious, as the clock ticked away, that he is going to be put at some disadvantage—

**Mr. Villeneuve:** Thirty seconds is owed me.

**Hon. Mr. Kerrio:** Will the member sit down until I am finished? He is going to be put at some disadvantage in making his point, because he will not have enough time left.

**Mr. Villeneuve:** That is precisely why I was standing.

When the member for Lincoln talked about typical border towns—close to the province of Quebec, close to New York state—he did not mention Cornwall.

I respect Mayor Lynch very much. As I mentioned a while ago in my comments, he is a man who tried to become a Liberal member in this very distinguished assembly. He did not make it. However, he is the leader of the Coalition Against Open Sunday Shopping, which is against Sunday shopping and against changing the rules. The mayor of Cornwall is quite happy in the kind of town that was very well described by my colleague the member for Lincoln, a border town that is close to Quebec and close to New York state.

Why do the government members not talk to the people? The Association of Municipalities of Ontario says that 90 per cent of its municipal leaders are against the bill, so why do they not listen for a change?

**Mr. Pelissero:** I would like to respond to the member for Etobicoke-Rexdale (Mr. Philip) with respect to throwing the baby out with the bath water. The whole concept of the tourist exemption is one that is triggered by the local municipality. I stated a couple of cases where I believe the tourist exemption that is being used by some of the municipalities stretches the credibility of that term.

The tourist industry, in fact, has changed over the last few years. I can certainly sympathize with the other member who made comments with respect to some of the smaller tourist-attraction areas being concerned about the larger areas opening up, because nowadays when you talk of a shopping centre, you are not only talking of a place to shop, you are also talking of a place where you can go with your family. It is a family entertainment centre, and I underline the word "entertainment," when you look at some of the facilities that operate right across Canada.

**Mr. Villeneuve:** Instead of going to church.

**Mr. Pelissero:** No, you can do that. It is not instead of going to church, as commented by the member for Stormont, Dundas and Glengarry. The fact is that some of the people who attend church go, after church, to the restaurants and to some of the entertainment centres.

**Mr. Villeneuve:** And they are open.

**Mr. Pelissero:** In fact, the churches are open and the entertainment centres are open as well.

I think the proposed legislation allowing the municipalities to determine their own unique requirements for the citizens who live there is in fact more fair and more enforceable, and I fully support the proposed legislation.

**Mr. Charlton:** I rise with some considerable trepidation to make some comments on Bill 113. I do that because, as was mentioned by the government House leader, I too have listened very carefully to the debate on this bill over the course of the last three days, and the unreality of some of the comments of some members in this House—and some of the interjections, for that matter—frightens me considerably.

I listened, for example, to the comments of the member for York Mills (Mr. J. B. Nixon) on Tuesday afternoon, and I want to suggest that there are obviously some government members, or at least some government researchers, who have not done their work very well.

The member for Eglinton, in one of her questions-and-comments interludes a few moments ago, referred to the town of St. George and the fact that it was now open as a tourist area on Sunday and all the surrounding towns had not collapsed like dominoes. It is true that expression is one that has been used by some in opposition to this legislation: "The municipalities will fall like dominoes." But it is an expression not to be translated literally. None of us expect that, half an hour after this legislation receives royal assent, all the dominoes in Ontario will have fallen and all the municipalities in Ontario will be wide open on Sundays.

1730

I listened to the member for York Mills on Tuesday afternoon when he started quoting from Hansard, from the 1975 debate on this same issue. He quoted one of the Tory cabinet ministers from the former administration, suggesting that, for example, the regional municipality of Hamilton-Wentworth had done an admirable job of regulating store hours for some number of years and they were doing just fine, thank you very much.

I want to suggest that the member for York Mills did not do his homework very well on that question. It is true that the regional municipality of Hamilton-Wentworth and, before its inception in 1974 the individual municipalities which made up the area that is now Hamilton-Wentworth, followed their instincts and stood steadfastly in place opposing extended hours on weeknights. The individual municipalities, and then the region, did a good job of regulating store hours until the competitive pressure from Halton-Burlington finally caught up with them just a few short months ago. Now Hamilton-Wentworth is open six days and five nights a week.

It took 15 years for that commercial battle to cause the domino to fall, but the domino fell none the less, and the same thing will happen under this legislation, whether it takes one year, five years, 10 years or even 20 years. There are pressures, especially here in the Golden Horseshoe where you have one regional municipality packed right against another regional municipality from Oshawa all the way to Niagara Falls, and in the area that my colleague the member for Welland-Thorold (Mr. Swart) was referring to earlier in this debate. All of those municipalities are very much in competition with each other, trying to attract commercial developers and new industry; they are in very serious competition every day of every week of every month of every year. The little towns like St. George may not fall, but around the Golden Horseshoe, under this legislation eventually every regional municipality will fall.

**Hon. Mrs. Smith:** St. George is open.

**Mr. Charlton:** I said that, no, St. George has not caused the other small towns to fall. At any rate, Mr. Speaker, I should be addressing my remarks to you.

It was a 15-year battle in Hamilton-Wentworth, but the battle was finally lost. It is the same battle that we are talking about around this piece of legislation. It is precisely the same battle and it will end in precisely the same way, with the municipalities that do not want to make the decision in favour of wide-open Sundays eventually being forced to make that decision.

It is really interesting that the Premier and the Liberal members in this House have created a whole new definition of the words "democracy" and "local option." It used to seem to me that democracy was about listening to the people and responding to the demands of the people through governmental processes, both in terms of electoral processes and programmatic and legislative processes. The government is supposed to



reflect, in a democracy, the demands of the society. What we have here is the Liberal government creating a new definition of democracy.

We know that 60 per cent of the people in this province do not want wide-open Sunday shopping. We also know that 80 per cent of the municipalities in this province do not want this legislation, do not want this option and do not want the competitive game that is going to go on as a result of the local option; so we impose it on them through this piece of legislation.

**Mr. Mahoney:** They've already got it.

**Mr. Charlton:** The member—I am not sure which member it is; I was not watching, because I was looking at you, Mr. Speaker—who is suggesting that they already have the option is wrong; they do not have it.

**Mr. Mahoney:** Sure, they do.

**Mr. Charlton:** No. Those areas that have been able to make a case for a tourist exemption have got it; the whole province does not have it.

Interjections.

**The Deputy Speaker:** Order, please.

**Mr. Charlton:** It really leaves me in a quandary that we are here in the middle of this very heated, emotional debate around a piece of legislation that is the crown jewel of the government's legislative program in this spring session. This is the government's primary piece of legislation during the course of the first session of this new parliament.

I can recall, from numerous question periods we have had since the campaign last summer, a fairly significant range of very important issues that have been raised in this House: the issue of affordable housing and the difficulties in our health care system around the funding of hospitals and a number of other issues in the health care sector. And what is the crown jewel of the government's legislative program? A piece of legislation on Sunday shopping.

It baffles me that we are even here debating this piece of legislation, when we know, as I have suggested, that 60 per cent of the people in this province do not want it, that 80 per cent of the municipalities in this province do not want it and that we have serious and important problems we should be dealing with that are being ignored.

The member for Wellington (Mr. J. M. Johnson), who was up speaking just a short time ago, has had to leave because, with my colleague the member for Rainy River (Mr. Hampton), he is attending a public meeting on this very issue in

Guelph—a meeting in opposition, I might add, to this piece of legislation.

Six or eight weeks ago, the member for Wellington and I also attended a large public meeting in the city of Stratford. That meeting was on an evening, in the middle of a thunderstorm, in the city hall auditorium. There were about 1,000 or 1,200 people present, almost to the person opposed to this legislative approach on the part of this government.

This question is becoming an issue of credibility for this government. It is becoming an issue that seriously calls into question this government's ability to listen to this province and to govern.

Sunday shopping and the issue around Bill 113 is, for some people, a religious issue. For some people, it is a family issue, and for some others, it is a labour issue. For still others, it is an issue for small business. More recently, even the large commercial retail enterprises in this province have largely come out in opposition to this piece of legislation. Gradually, one at a time, all the sectors of this province are coming to realize the real dangers down the road that this legislation holds for them and for society as a whole.

**1740**

When we were attending that meeting in Stratford, there was one gentleman who got up to a microphone and raised a very interesting question. It is, unfortunately, a question which the present government in this province is not prepared to deal with in relation to this bill.

This gentleman happens to be a retail worker. He is in the position where he presently works six days a week—not five; six days a week. The only day of the week on which he gets to see his children, except for a very brief period while they are going to bed, is Sunday.

He got up to the microphone and he raised the very simple question, "If the provincial government passes this legislation and the municipality in which I live then opts out of the legislation and opts into wide-open Sundays and I get forced to work on Sunday, is the provincial government going to provide the funding to the school board in this area so that the schools can be open on Sunday so that my kids can be out of school on the day off I do get?" It is not going to happen, is it?

I have heard a number of members, during the course of this debate, including the member for Middlesex (Mr. Reycraft) just earlier this afternoon, refer to the fact that 25 per cent of the people in this province already work on Sundays. I think it is just about high time that the Liberals

got in touch with some of the people in this province who do work on Sundays.

Yes, there are people in this province who work on Sundays. They work in variety stores, and they start at noon or one o'clock when the variety store decides to open. There are industrial workers. There are steelworkers who work Sundays. They work the afternoon shift on Sunday and they work the night shift on Sunday. They never ever work days on Sunday.

**Mr. Reycraft:** They do in Sarnia.

**Mr. Charlton:** Well, in the two largest steel companies in Canada they do not. They have Sundays off, day shift, and they always have had; the same as the retail workers have.

We have seen legislation in some other jurisdictions where they do have wide-open Sunday shopping. For example, some of my colleagues were in Massachusetts last year, and yes, they have wide-open Sunday shopping in the state of Massachusetts. They also have ironclad legislation which makes their work on Sunday absolutely, under any circumstances, totally voluntary. They cannot be forced to work under any circumstances, and regardless of how many hours they have put in during the week, if they choose to work on Sundays at their employer's request they get paid time and a half whether it is overtime or not.

If this government was prepared, in its wisdom on this issue, to provide those kinds of ironclad guarantees, then perhaps the people of this province would find this initiative a little more acceptable. I still do not think they would find it totally acceptable, but those people, the retail workers, for example, who are particularly concerned about having to work on Sunday might find the situation a little more palatable. If they had an absolute guarantee that they could not be forced to work and were guaranteed time-and-a-half pay if in fact they ended up working, they might be able to approach this question from a little different perspective; but this government has not had the intestinal fortitude to provide that kind of ironclad protection.

As a matter of fact, the legislation which we will be dealing with next, which is supposed to provide the protection, provides little or none at all.

The small business people, who are concerned about this legislation, understand what wide-open Sundays in a municipality will mean. Never mind this talk about whether or not Ontario will become wide open province-wide all of a sudden, let's just look at one municipality that is

not now open on Sundays taking up the option. Go out there and talk to those people in closed municipalities who are already open on Sunday, the small corner stores that are now open. Talk to them about the volume of business that they do on Sunday versus the rest of the week. Sunday is the day that is making the business for those small retail operations.

They do as much business on Sunday as they do on any other three days of the week. But if you open up that municipality so that all of the large supermarkets and all of the larger stores in the retail sector are open, those small businesses, in many cases, will go down the drain.

Let's not understand only the social, moral, emotional and labour issues around this, let's understand some of the economics of what it is we will do to the small business community, even if it only happens in one municipality.

Last evening, the Solicitor General (Mrs. Smith) and I attended the firefighters' convention up in Barrie, and during the course of her remarks she said she had developed quite an affinity for firefighters because she found herself having, quite frequently, to run around putting out fires.

**Hon. Mrs. Smith:** Be sure it comes back to haunt you. Not this fire though.

**Mr. Charlton:** That is right. When I got up to make my remarks, I suggested to the firefighters that the minister had not quite told them the whole story because, in the vast majority of cases the fires that they were putting out were not set by their friends. That is one of the things that the minister has to do some serious thinking about around this piece of legislation.

Just to wrap up my comments on this piece of legislation: another event last evening was particularly interesting at this firefighters' convention. The firefighters do have a number of ongoing, controversial issues with the Solicitor General. After the formalities were over and we were trying to leave the stage, the first issue she was confronted with was not one of the firefighters' concerns around the Fire Departments Act. It was Bill 113, the Sunday shopping issue, and not from a positive perspective, I might add.

Interjections.

**Mr. Charlton:** No, she came up to me on the same issue.

**Hon. Mr. Kerrio:** That's par for the course.

**Mr. Charlton:** With that, I will just implore the government members to stop and start thinking about some of the things they are saying. Do not talk to us about evidence, as the



member for Eglinton (Ms. Poole) suggested, evidence that does not exist.

Let's look at some of the real evidence, like the commercial battle that went on between Burlington and Hamilton for 15 years that finally caused that domino to drop; that has Hamilton open six days per week and five nights per week, commercially, already. The same battle will go on between Hamilton and Burlington, between Burlington and Peel and between Hamilton and Niagara, around this issue of Sunday shopping.

**Mr. Black:** It is on right now and you know it. Tell the whole story.

**Mr. Charlton:** The Sunday shopping issue is not going on, none of them are open. Under the tourist exemption, little, lonely Fort Erie deciding to take the tourist exemption because of people who are coming right across the border does not affect the entire Niagara Golden Horseshoe.

**Mr. Black:** They can do the same thing.

**Mr. Charlton:** No, they cannot. They cannot get the exemption.

Interjections.

**Mr. Speaker:** Order, please.

**Mr. Charlton:** Mr. Speaker, the members on the other side of the House should take the time to find out about municipalities that have tried to get the tourist exemption and have been turned down because they cannot, in any way, shape or form, make a case. Hamilton cannot, Burlington cannot; they cannot get it now. The Fort Eries of this world, the St. Georges of this world, the Windsors of this world and the Sault Ste. Maries of this world can make a case.

**Hon. Mr. Conway:** What happened to that nice little chap from Hamilton Mountain?

**Mr. Charlton:** He has had to listen to you for a decade.

**Hon. Mr. Conway:** Not a bad answer.

**Mr. Charlton:** Mr. Speaker, I just implore the government members to look realistically at what is happening out there, to look at the comments that the member for York Mills made on Tuesday afternoon vis-à-vis the reality of what happened four months ago in Hamilton-Wentworth; not what happened in 1975 but where the battle has ended in relation to that competition between municipalities, and start to understand what this bill will mean, not next year but over the next 10 or 20 years across this province.

1750

**Mr. Reyecraft:** The member for Hamilton Mountain (Mr. Charlton) has implored us to

"look around out there" and see what this bill is going to do and see what is going to happen. I suggest that he would be well advised to heed his own advice, to look around out there and see what is happening now, to take a look at what is happening in the stores where areas are being roped off and barricaded and people are going under the ropes and around the barricades. Nobody stops them from making their purchases.

He should take a look at the department stores that are masquerading as pharmacies, as drug stores, many of them very large in size, but obeying, of course, the limit on people. He should take a look at some of the other abuses of the current legislation. Then perhaps he will see why legislation like this has to be brought forward to direct attention to some of these problems and to seek correction of them.

Somebody also criticized us for using quotes from 1975 and suggested that perhaps those were too old to be relevant now. Perhaps he is right. I would like just for a second to put on the record a quote that is a little newer than that. It is from 1985, and the quote reads like this: "It's hard to sustain a law where there are more breaches of it than respect for it." The fellow who said that was a guy named George Taylor, who was the Attorney General of this province. That was in 1985.

**Hon. Mr. Conway:** Solicitor General.

**Mr. Runciman:** He was never Attorney General. You've got that wrong.

**Mr. Reyecraft:** The booklet from which I am quoting calls him the Attorney General, but the government House leader tells me he was the Solicitor General at the time.

The point is that the existing legislation is also unenforceable because the penalties are not large enough and the government has not been able to enforce it.

**Mr. Runciman:** I want to express some surprise at comments we have heard from the members of New Democratic Party, stressing the antifamily nature of this legislation. I share that view, but it is rather ironic that they are taking that position. If we look back at the NDP-Liberal government two and a half years ago, the centrepiece of its social thrust was the amendments to Bill 7, the sexual orientation bill, and I do not think we have been faced with more of an assault on the family than that particular piece of legislation.

Anyway, I am pleased to see the Solicitor General in the House today. Obviously she has swallowed her pride on this issue, showing up here. She was very strongly supportive of

retaining a common pause day. Two weeks before the Premier announced this, she was saying it was the chicken way out. When the Premier made his decision, we are obviously aware that she fell to her knees and indicated to the Premier that she had undying admiration for his ability to make very profound decisions, instead of saying: "Mr. Premier, you're embarrassing me. You're going to make a fool of me. I'm going to look ridiculous to the community and the province at large. Just two weeks ago, I said this is a chicken way out, and now you're coming in here and telling me you've made a decision which is completely opposite from the position I took publicly."

But she swallowed her pride. That car and driver and the perks that go with office can have quite an impact on individuals and their pride.

We have to look at this government making this kind of decision. Just remember, we are talking about a government that is led by a leader who goes up to northern Ontario and encourages teenage sex and professes to be Canada's number one fan of Pee Wee Herman.

**Mr. Haggerty:** I was interested in the comments from the member for Hamilton Mountain. He is correct in one part of it: it is a border town and we do have a great number of tourists coming across the border to the town of Fort Erie. We have the racetrack at Fort Erie and racing on Sunday. That was done by local option. We do have some of the businesses open on Sunday but not in all areas of the town, and there have been charges laid because some of the businessmen have opened up their businesses.

I suggest to the member that he is quite correct, but in the Niagara South area, which I represent, there are 3,500 householders along the lakeshore who are tourists. That is one of the difficulties that we find in the area. We do have tourist establishments in the area and it has been partly designated as a tourist area. It does not apply across all of the municipality. That is what is wrong with the present legislation. This new legislation will correct that; it will be either yes or no with it.

**Mr. Villeneuve:** I too just want to make a few comments to congratulate the member for Hamilton Mountain.

It is always being brought up by the Liberal government that the present law is working so well, and I have to agree. We have a large tourist area along the St. Lawrence River, Lake St. Lawrence and Lake St. Francis. Lancaster was designated as a tourist area as of May 1, and well it should have been, because it is a tourist area.

Upper Canada Village opened on May 15. No one suffers from a lack of services. The stores that are needed are open. The public is served. The tourists are well served.

I wonder why we are debating legislation in this Legislature that is really not needed at all. Someone somewhere must have asked the Premier to bring it forth. I am not sure who it was, and I hope that before this debate is over we will know who wants the Premier and the Liberal government to enact this legislation.

**Mr. Charlton:** Just very quickly to the member for Leeds-Grenville (Mr. Runciman), I am not going to get into an argument with him about which of us is a better family man. We will let somebody else judge that one.

To the member for Niagara South (Mr. Haggerty): yes, there are some problems with the current legislation, but if he listened to what the Solicitor General said earlier—and I would like to clearly understand what the answer to this question is—she said, "If you don't do anything as a municipality under this bill, the old rules are going to apply." How have we fixed any of those problems?

There has also been some discussion about the new legislation tightening up the rules. That is not clear in the bill, but if the rules have been tightened up and some of the problems have been addressed, then what is the need for the local option?

The member for Middlesex referred to the tampering that is going on now.

**Mr. Reyecraft:** Read the bill. You don't know what's in it.

**Mr. Charlton:** We have been through it, and the guidelines are no clearer than they were before. That is the point. The government cannot have it both ways. As the minister said half an hour ago when she stood in this House, "If you do nothing as a municipality, the old, unenforceable rules will apply." We are going to have some municipalities under unenforceable provincial guidelines and other municipalities creating a hodgepodge of God-knows-what, with ropes who knows where. How is that going to be any more enforceable than what we have right now?

On motion by Mr. McCague, the debate was adjourned.

#### ROYAL ASSENT

#### SANCTION ROYALE

**The Deputy Speaker:** I beg to inform the House that in the name of Her Majesty the



Queen, His Honour the Administrator has been pleased to assent to certain bills in his chambers.

**Clerk Assistant:** The following are the titles of the bills to which His Honour has assented:

Bill 5, An Act to amend the Proceedings Against the Crown Act;

Bill 7, An Act to implement the Model Law on International Commercial Arbitration adopted by the United Nations Commission on International Trade Law;

Loi 7, Loi portant mise en application de la Loi type sur l'arbitrage commercial international

adoptée par la Commission des Nations Unies pour le droit commercial international;

Bill 59, An Act to amend the Municipal Act and certain other Acts related to municipalities;

Bill 82, An Act respecting Energy Efficiency;

Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act;

Bill 118, An Act to amend the Financial Administration Act;

Bill 126, An Act to assist Ontario Residents to save for the purchase of a First Home.

The House adjourned at 6 p.m.

## ALPHABETICAL LIST OF MEMBERS\*

(130 seats)

First Session, 34th Parliament

Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC

- 
- Adams, Peter (Peterborough L)  
 Allen, Richard (Hamilton West NDP)  
 Ballinger, William G. (Durham-York L)  
 Beer, Charles (York North L)  
 Black, Kenneth H. (Muskoka-Georgian Bay L)  
 Bossy, Maurice L. (Chatham-Kent L)  
**Bradley, Hon. James J.**, Minister of the Environment (St. Catharines L)  
 Brandt, Andrew S. (Sarnia PC)  
 Breaugh, Michael J. (Oshawa NDP)  
 Brown, Michael A. (Algoma-Manitoulin L)  
 Bryden, Marion (Beaches-Woodbine NDP)  
 Callahan, Robert V. (Brampton South L)  
 Campbell, Sterling (Sudbury L)  
**Caplan, Hon. Elinor**, Minister of Health (Oriole L)  
 Carrothers, Douglas A. (Oakville South L)  
 Charlton, Brian A. (Hamilton Mountain NDP)  
 Chiarelli, Robert (Ottawa West L)  
 Cleary, John C. (Cornwall L)  
 Collins, Shirley (Wentworth East L)  
**Conway, Hon. Sean G.**, Minister of Mines (Renfrew North L)  
 Cooke, David R. (Kitchener L)  
 Cooke, David S. (Windsor-Riverside NDP)  
 Cordiano, Joseph (Lawrence L)  
 Cousens, W. Donald (Markham PC)  
 Cunningham, Dianne E. (London North PC)  
 Cureatz, Sam L. (Durham East PC)  
**Curling, Hon. Alvin**, Minister of Skills Development (Scarborough North L)  
 Daigeler, Hans (Nepean L)  
 Dietsch, Michael M. (St. Catharines-Brock L)  
**Eakins, Hon. John F.**, Minister of Municipal Affairs (Victoria-Haliburton L)  
**Edighoffer, Hon. Hugh A.**, Speaker (Perth L)  
 Elliot, R. Walter (Halton North L)  
**Elston, Hon. Murray J.**, Chairman of the Management Board of Cabinet (Bruce L)  
 Epp, Herbert A. (Waterloo North L)  
 Eves, Ernie L. (Parry Sound PC)  
 Farnan, Michael (Cambridge NDP)  
 Faubert, Frank (Scarborough-Ellesmere L)  
 Fawcett, Joan M. (Northumberland L)  
 Ferraro, Rick E. (Guelph L)  
 Fleet, David (High Park-Swansea L)  
**Fontaine, Hon. René**, Minister of Northern Development (Cochrane North L)  
**Fulton, Hon. Ed**, Minister of Transportation (Scarborough East L)  
 Furlong, Allan W. (Durham Centre L)  
**Grandmaitre, Hon. Bernard C.**, Minister of Revenue (Ottawa East L)  
 Grier, Ruth A. (Etobicoke-Lakeshore NDP)  
 Haggerty, Ray (Niagara South L)  
 Hampton, Howard (Rainy River NDP)  
 Harris, Michael D. (Nipissing PC)  
 Hart, Christine E. (York East L)  
 Henderson, D. James (Etobicoke-Humber L)  
**Hošek, Hon. Chaviva**, Minister of Housing (Oakwood L)  
 Jackson, Cameron (Burlington South PC)  
 Johnson, Jack (Wellington PC)  
 Johnston, Richard F. (Scarborough West NDP)  
 Kanter, Ron (St. Andrew-St. Patrick L)  
**Kerrio, Hon. Vincent G.**, Minister of Natural Resources (Niagara Falls L)  
 Keyes, Kenneth A. (Kingston and The Islands L)  
 Kozyra, Taras B. (Port Arthur L)  
**Kwinter, Hon. Monte**, Minister of Industry, Trade and Technology (Wilson Heights L)  
 Laughren, Floyd (Nickel Belt NDP)  
 LeBourdais, Linda (Etobicoke West L)  
 Leone, Laureano (Downsview L)  
 Lipsett, Ron (Grey L)  
 Lupusella, Tony (Dovercourt L)  
 MacDonald, Keith (Prince Edward-Lennox L)  
 Mackenzie, Bob (Hamilton East NDP)  
 Mahoney, Steven W. (Mississauga West L)  
**Mancini, Hon. Remo**, Minister without Portfolio (Essex South L)  
 Marland, Margaret (Mississauga South PC)  
 Martel, Shelley (Sudbury East NDP)  
 Matrundola, Gino (Willowdale L)  
 McCague, George R. (Simcoe West PC)  
 McClelland, Carman (Brampton North L)  
 McGuigan, James F. (Essex-Kent L)  
 McGuinty, Dalton J. (Ottawa South L)  
 McLean, Allan K. (Simcoe East PC)  
**McLeod, Hon. Lyn**, Minister of Colleges and Universities (Fort William L)  
 Miclash, Frank (Kenora L)  
 Miller, Gordon I. (Norfolk L)



- Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)  
 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)  
 Poirier, Jean, Deputy Speaker and Chairman of  
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 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
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 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reyecraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)  
 Roberts, Marietta L. D., Deputy Chairman of the  
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 Runciman, Robert W. (Leeds-Grenville PC)  
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**Smith, Hon. E. Joan**, Solicitor General  
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 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
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 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)  
 Swart, Mel (Welland-Thorold NDP)  
**Sweeney, Hon. John**, Minister of Community  
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**Wong, Hon. Robert C.**, Minister of Energy  
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No. 77

# **Hansard**

## **Official Report of Debates**

### Legislative Assembly of Ontario

**First Session, 34th Parliament**

Thursday, June 9, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers

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Published by the Legislative Assembly of Ontario  
Editor of Debates: Peter Brannan



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

Reference to a cumulative index of previous issues can be obtained by calling the Hansard Reporting Service indexing staff at (416) 965-2159.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Thursday, June 9, 1988

The House met at 10 a.m.

Prayers.

## ORDERS OF THE DAY

### PRIVATE MEMBERS' PUBLIC BUSINESS

#### MUNICIPAL ELECTIONS

Mr. Breagh moved resolution 32:

That, in the opinion of this House, the government of Ontario should endorse recommendation 82 of the Final Report of the Advisory Committee on Municipal Elections to the Minister of Municipal Affairs in February 1987, which states that no changes in the method of election or in the composition of municipal councils or school boards be permitted after January 15 of an election year.

**Mr. Breagh:** Many of us who have been members of the assembly have also had the opportunity to serve the electorate at the local level. We are familiar with the workings of school boards and municipal councils and we bring that tradition of service with us here to the Legislature of Ontario. It follows then that many members are not only experienced in but very interested in the workings of local government and have a respect for the process at that level. We are often struck by the differences in the ways that different levels of government work.

One of the most startling things that struck me when I first arrived here was to see the budgetary process, having come from a municipal background where our budgetary decisions were made collectively and openly at an open council, where we were used to receiving submissions from the general public about the building of roads, sidewalks, schools, parks, trail systems or whatever and having to face the electorate straight in the eye and say yes or no to the proposal.

One is immediately struck by the very opposite process when one arrives at the Ontario Legislature, where the Treasurer traditionally strikes his budget and makes all his decisions in secret and then announces it, so that even government members, sometimes even members of the cabinet, have no knowledge of what is in the budget. There are great differences between the two processes.

Many of us welcomed this report on municipal elections, in part because it brought an air of refreshing change to the process. I think both opposition critics were invited to attend before this committee. I am aware that they consulted widely in the municipal field, in the formal organizations, and that they invited people who were interested observers and active participants to help them to prepare a rather substantial report on the whole process of elections at the local level.

It was refreshing to see them table a pretty comprehensive document. I do not think it is unreasonable to say that not every member here agreed with every single recommendation, but we did, in large measure, agree with the thrust of that report, that two or three major things were happening.

First, there was finally a recognition by Ontario that municipal governments have evolved over the years into some pretty sophisticated governing mechanisms. One of the things we are struck by when we do even a casual survey of what they are like is the differences that are there. To compare, for example, municipal government in the city of Toronto with municipal government in the township of Vespra is really quite a comparison. There are quite different circumstances in serving a very different constituency and doing so in a very different way.

For many of us who are observers of the municipal scene, one of the great strengths of municipal politics is its ability to adjust, to put together a form of local government that is appropriate to the local needs. There is always some arguing around the edges of whether somebody is overgoverned and whether the response at the local level is appropriate to the needs of its local citizens. But that is the kind of testing measure that is there, and there always will be some tension between how local government is organized and the needs of its citizens, because those are changing all the time.

Where I live, we are probably one of the most overgoverned people in the free world. We have four levels of government that we can readily identify, and if one throws in school boards, we have two more of those. We have an elected public utilities commission, we have an appoint-



ed conservation authority and we have an appointed harbour commission. In my community, we can identify about seven different levels of government that are visible, and that is not addressing oneself to the invisible ones which are also there.

We are aware that local government is important to us, that it is increasingly important that our people understand the process and that the process adapts itself on a regular basis to meet new needs. Almost all members who live in growth areas will be able to recount stories of local governments that have changed dramatically in the last four or five years. There are municipalities in the region of Durham, where I come from, for example, that have really gone in less than a decade from being small villages that serve essentially a rural population to being large urban centres.

We can identify little places like Newcastle and the village of Pickering that not very long ago were just that—villages in a rural area—and now have a tremendous expansion of urban growth. Those municipalities are trying to respond as best they can to the needs of a new constituency, one that has grown up around an older one. They do try to change the way they represent the population, the way they service the population, the hiring of staff, the way they process official plans, the way they process plans for subdivisions and the way they provide fire protection and a multitude of services. I think all of us have come to have a respect for local government.

This report attempted to identify some changing needs, one of which has come to the fore this year, because in the mystical way that this place works, reports of this nature are tabled one year and then considered by staff of the various ministries for an appropriate period of time and eventually we begin to see legislation come forward which implements some or all of those changes. That is happening now.

**1010**

When we first saw this report, many of us welcomed it with open arms. There were recommendations here that addressed some long-standing needs at municipal government, particularly those around election expenses where we have had a growing problem. The newspapers are full of it these days, of questions of how people finance local election campaigns. How is it that the mayor in the city of Toronto will probably spend something like \$250,000 in many election years now, and in many rural municipalities the mayor or the reeve of a municipality may not spend \$100?

There are different circumstances. Part of what this report did was try to identify how to put this wonderful mix of different types of governments together. One of the things they did identify was this resolution that I have chosen to put on the floor of the chamber this morning. Basically, it was the centre of a great deal of discussion in the preparation of the report; that is, how do you put something together which addresses the needs of the city of Toronto and its urban political environment and a rural township like Vespra or one of the many other townships that are around Ontario that have local government? There are somewhere around 800 different versions of what municipal government will be.

One of the things that they settled on—and it is the heart of this resolution—is that very simply, whenever we make changes, we need to provide municipal governments with lots of lead time. When we do that, federally or provincially, for example, when we make one change, when we do a redistribution, change the shape and size of the boundaries and sometimes give them a new name or create new ridings, it is generally held around here that about a year and a half to two years is required to accommodate that change. We are simply recognizing that we need to give people notice that political organizations sometimes have to regroup and set up new riding organizations, that electoral officers have work to do in preparing the rolls, putting together the boundary maps and setting up new polling subdivisions. We are recognizing that there is a fair amount of advance work that has to be done prior to the change being implemented.

The recommendation I put in front of the members this morning addresses that. Although I suppose we could rant and rave about the evils of government and all of that, I really do not want to do that. What I would like to do this morning is to set the pattern for the future. We can all go into the fact that this government has introduced a number of legislative changes this year that will have an impact on this fall's municipal elections.

Who cares what the reasons are? Whether it was ministry staff not being able to produce the legislation early enough, whether it was the schedule of the House business, whether a bright idea came to the floor at the last minute, whatever that reason was, I prefer to set that argument aside, focus on the future and say that from this point on, let's observe this recommendation. Let's simply say municipal governments need some time.

Many of us will be able to attest to the simple fact that a lot of our municipalities can take the



proposed changes that have been put forward in legislative form this year and implement them. I do not think any of us would give the members an argument about that. We should also put on the record this morning that many of them are going to have difficulty.

They are going to have difficulty responding simply because they are not all set up to do business the way the city of Toronto is. There are many rural areas, for example, where they virtually have no staff, where the staff for the entire municipality consists of a part-time person who keeps records for the local council, and that is it. When we talk about a legislative change in the way they conduct municipal elections this fall and the changes introduced in June of an election year, like everybody else, they have their down times in July and August; so they are really going to have a couple of months to get ready for these changes in the fall.

I hope, and I am sure, all of the municipal councils that are affected by these legislative changes are going to do their best effort to accommodate the changes. They will try as best they can to respond to the changes in a new school board—one of the changes that has been proposed—a redistribution of how the local seats are allocated, a reallocation of the number of local seats that are there or a new proposal for election expenses or disclosure at the local level. They will try their best to respond. They will try to accommodate a new enumeration system.

All I am saying is that they are going to have some difficulty in doing that. It will not surprise me, as one member of the assembly who has been around for a while, to hear that they are going to have trouble with that. This fall we can anticipate that there will be some local councils around Ontario that are going to be confused about the process. If it is not the council that is confused, worse yet, it may well turn out to be the electorate.

In Toronto, for example, which is perhaps one of the better ones to choose because there is a full urban, municipal process at work, if you are part of the electorate in the city of Toronto this year, you are going to have to look at a ballot that has a new allocation of seats for both the local council and the school board, which changes the boundaries for the various districts they represent. It is going to cause more than a little confusion. Throw into that mix a new enumeration process and that adds a little more confusion. Throw into that a new election expenses component and there is a little more confusion.

The end result may well be that there will be some widespread difficulty in understanding how all of these changes happened at the same time. The recommendation of the committee basically addresses that. It does no more than simply say, "Give sufficient lead time so that you can implement these changes." We went through the process, for example, in deciding whether there should be a resolution or bill put forward on the matter. It is difficult to design a bill that would be binding on another parliament; so I thought the most straightforward thing to do would simply be to take the existing recommendation from this advisory committee and put that in front of members.

The purpose is not to embarrass anybody this morning. The purpose is to put on the record some advice for the government in the future, to simply say that timing becomes something that is critical. There are legislative changes here that I, personally, think are long overdue and I regret somewhat that they are put in place in this kind of a time frame. Election expenses is one that comes to mind that I, for a long time, along with a lot of other members here, have been advocating.

We are not arguing that this change should not have taken place. We are simply trying to point out that it is going to be difficult to implement that for many municipal governments. Some can handle that change. Some have been working with the ministry for quite a period of time getting ready for the change. Some will have had a lot of warning and some, I know, participated in the recommendations made to the minister on how those changes should come about. But there are a number of others who are going to have problems with it.

The sad thing is that this puts in front of us a decision that is an awkward one, and that is that there are changes being proposed we would like to see happen, but because they have been brought in at a late date, they are going to cause confusion and cause some problems.

I suggest to members that it would be wise simply to support the resolution this morning. I know a lot of time, effort and work went into report. It struggled with the notion of the different circumstances that exist in different municipalities. Its solution, it seems to me, was the commonsense one, to simply say, "You can do almost anything if you give enough notice to the municipal level of government and you can implement almost any kind of change with enough notice." They are not asking for a full year's notice. They are basically saying, "If you tell us by the middle of January of an election



year what the new rules will be, we can all get ready and accommodate that." It seems to me that that was good advice when the report was tabled and it is good advice now.

We have just gone through a series of legislative changes that, whatever their merits might have been, one of the things that is going to be true about them is that they are going to cause some difficulty in getting into place this fall. I do not believe it was the intention of any of the ministries that proposed any of the changes to cause that problem. My understanding of them is that their overriding concern was to bring forward the legislative change. They hope it has been done in a way that can be accommodated.

Quite frankly, if only one major change had been proposed, I do not believe there would have been any difficulty. The difficulty may simply be that there is a variety of ministers bringing forward legislative proposals that have an impact at the same time. By itself, one change could have been accommodated without question; half a dozen poses a little more difficulty.

1020

I would put the resolution for members' consideration this morning simply on this basis, that it is a good idea in the future to bear in mind that when the ministry is proposing legislative changes, it gives to the municipal government about as much advance time as it would ask its own government when it implements a redistribution of the ridings, and that is about a year and a half.

For the most part, I do not think there is anyone in Ontario who would argue that if the government put forward one legislative change and we have notice of it by the middle of January, every municipality in Ontario could not accommodate that. The government has made it just a little more difficult by adding to the mix several other changes at the same time.

I hope members contribute to the debate in that spirit. I have tried to restrain myself and not rant against the follies of this government too much this morning. I will do that later on today. I know members are disappointed in all of that; but I do think that it should go on the record here. It is one of the quirks of the way this process works that we have never really had a formal debate on this report, despite all the work and effort and organization that went into it.

I would advocate that it would have been a good idea for us to do that and to take a resolution like this one; to say that, in future, although we do not want to bind the government—because I think all of us would recognize that once in a

while there is going to come a need in the middle of June in an election year to make a legislative change and I do not want to preclude that—what I want to lay down today is a simple guideline that says, "Under normal circumstances when we are going to make some change that will affect a local municipal election or a council or a school board, we will try to accommodate that by giving reasonable notice."

That is what the resolution is all about. I hope that members take it in that spirit and I will be interested in their comments. I will save a couple of minutes for a response at the end.

**Mr. Cousens:** I think we all know that this is an important subject, especially with the number of bills that will affect the municipal elections this fall and that are going to affect everyone in Ontario. I can understand the intention behind this proposition that has been placed before the House by the member for Oshawa (Mr. Breaugh). I am wondering how it all came about.

The member for Oshawa was probably sitting in his office one morning and his secretary called in and said, "Mr. Breaugh, the House leader is on the phone." When he answered the phone, the member said, "Yes, Sean," and his own House leader, the member for Windsor-Riverside (Mr. D. S. Cooke), said: "No, it's me. It's your own House leader. I am calling to remind you to get your ballot item ready for the Legislature."

The member for Oshawa said: "Lookit, I am working on my one-liners for this afternoon. That takes a lot of preparation to get ready for the House, and I am very busy doing that." His House leader said, "No, you will embarrass the New Democratic Party again if you do not come forward with a ballot item." He said: "Oh, my goodness, I have not done this. I have not thought about it."

Then, as he was coming up to the House, who did he bump into on the way but the member for Brantford (Mr. Neumann), the former mayor of that town, and the member for Oshawa said, "I just know what I have to bring up." When he saw the new upstart, the parliamentary assistant to the Minister of Municipal Affairs, he said: "That is where all the bad influence is coming on the minister. The minister is capable of better decisions than he has been working on. What they need to do is have some common sense brought in there."

Now, we cannot legislate common sense. Yet that is exactly what we are trying to do here, bring some element of control to a ministry that is sort of going out of control. So the member for Oshawa was inspired. It is one of those few



moments when he had his opportunity to put something on the record.

There are many important things that members bring forward in the House and he decided that that would be his, to try to bring some kind of limit to a government and what it is trying to do in implementing legislation that is going to have such an impact.

I think it is self-evident to anyone who has been involved in municipal government at any level and at the provincial level that the provincial government should have a period of time in which it allows the electorate and the municipal councils and those governments that are working so effectively within the province at least to get ready for their election campaigns.

All the different bills that have been brought into this House have been a deluge as far as those people who are outside looking in are concerned, and they are saying, "My, what impact is it going to have now?" We had Bill 106 before this House. It was before a committee and it was given third reading yesterday. Bill 106 is going to have a significant impact on the municipal elections this fall, on municipal spending for politicians; yet it was retroactive.

When it was brought into the House it was retroactive to January 1. I mean that really was in a sense saying, "We are going to legislate what we want in this House." It made no sense at all. Certainly in this party we tried to express that view and the government backed away from making it effective on January 1, but it will be effective when it is proclaimed.

There are so many examples that had to really bother the member for Oshawa. They had to bother myself and they have to bother anyone who is concerned with a strong electoral system. We are a democracy. As a province that has been proud of its democratic heritage and the years in which we have promoted this democratic right, we should at least keep our fingers off that democratic process during election year, unless it is absolutely necessary. In that way, those people who are out there are not going to feel that they are being twisted or pulled or rules are changing while they are in the process of trying to present themselves, present their issues and present a campaign.

That is what we have done in this House this year. The significant bills that have come forward have not been all that well thought out beforehand. The very bill I just mentioned, Bill 106, An Act to amend the Municipal Elections Act and the Municipal Act, had 30 amendments brought forward in committee by this govern-

ment. There were 30 amendments presented by our party. There were no amendments by the New Democratic Party. But the fact is there were some 60 amendments to consider in committee.

All 30 amendments by the government passed. That is because they have a huge majority and were able to push it through. They were even able to push through this bill in spite of the many, many letters and people who said, "Please do not try to change the rules of an election campaign and of municipal elections in an election year."

I just have some of the letters here but I want to put them on record. We have a letter from Gloucester, Ontario: "The public, the politicians and the municipalities must be afforded ample opportunity to reflect, debate and consider the potential impact of Bill 106 prior to its implementation." They are really asking that the bill not be passed so it goes into effect for this election year.

The Plympton township council asks that there be no changes this year. The corporation of the city of Cambridge wrote a similar letter in which it asked the government not to proceed with the implementation. They say the timing of Bill 106 is ill conceived and they go on to say why it is ill conceived and how it is not good if the Legislature pushes it through so close to municipal elections.

The municipality of Neebing says: "Bill 106 and any other legislation that impacts upon the upcoming municipal elections should be withheld from received royal assent until after the November elections. Should this bill receive assent prior to November, insufficient time would remain for municipal staff to familiarize themselves with the new legislation."

That is the point. If municipal staff are going to have insufficient time to be familiar with all the new rules and regulations, how much more difficult is it going to be for the general electorate to have time to consider these changes? How much more difficult is it going to be for the candidates who want to run in municipal elections this fall, on November 14, if these changes are coming in at a time when they do not fully understand them? The 130 members in this House have a chance to consider them, but not the eight million people out there in the province of Ontario. Good for the municipality of Neebing.

The city of North York comes forward. They sent a letter as well to the standing committee that was considering this bill. Their first point was that, "The province of Ontario be requested to defer implementation of this legislation until the



1991 municipal election." I mean, when you get the city of North York coming against the Liberal government, you really start to know that you have hit a hot point.

There are more municipalities in this province that are saying, "Let the municipal legislation that is going to affect elections in the province of Ontario not be changed in the year of election. Let there be a time when you do not have to be looking over your shoulder and anticipating future and other changes."

I think that is the intention that the member for Oshawa has in his bill. Unfortunately, his bill does not say just that. But fortunately, I was listening carefully to his remarks and he is saying it is more of a bill to state the intention that the government should not, unless absolutely necessary, bring forward changes in the Municipal Act or Election Act that would affect municipal politicians in that election year. Unfortunately, his bill does not say that.

1030

We are talking about a year in which this House has been very busy affecting the future of municipal governments. We had Bill 106, which has now passed, and I think it is going to be a discouraging bill to people who want to run for municipal government, especially when it was almost made retroactive and it is going to affect them so soon before an election.

I also know that Bill 125, which was given royal assent just very recently—on June 1, I think it was—again has a big impact on how trustees will be apportioned and represented. We had Bill 77, the trustee representation act, which was passed on April 11. Then, in this year alone, on February 11, the Metropolitan Toronto council was recreated. The seventh largest electoral body in Ontario was recreated in the year in which the election is going to be held in which those people who will run for Metro council will be elected to office.

I know that this government wants to make its mark, but let it make a good mark. Let it do it in a way in which everyone from the province will have a chance to understand the full intentions behind its bills and its acts. Unfortunately, when it leaves so short a time for a bill to be read, has first, second and third readings and be finally approved, there will probably not be the kind of debate on it that should take place. There has been a huge hurry to get it through in this House. I know that creates a problem for the electorate. For that reason, I will be supporting the member for Oshawa's motion. This should be common sense.

**Mr. Neumann:** It gives me a great deal of pleasure to rise and speak to this motion. I commend the member for bringing this matter to the attention of the Legislature. The debate should be an interesting one.

I am pleased to work with the Minister of Municipal Affairs (Mr. Eakins). He is the epitome of the attitude of accessibility and openness of this government, a minister who listens to all sides of an issue before making a decision. I know this has been the process with all of the legislation passed under his leadership during this session with respect to municipal reform.

I find it interesting that the official opposition, the New Democratic Party, finds the pace of reform a little too fast. However, I think it is very appropriate that we get on with making the necessary changes to raise the profile of municipal councils, school boards and public utilities commissions across Ontario, that being a very important level of government and the level of government closest to the people.

I found it interesting in looking back through the advisory committee report, which I had read some time ago, and in refreshing my memory on it, that in this report there are actually two recommendations.

Recommendation 82, which is the one before us and says, "The committee recommends that no changes in the method of election or in the composition of municipal councils or school boards be permitted after January 15 of an election year," actually does not refer to legislative change, which the member seems to indicate. One can go to the interim report, which provided the rationale for this recommendation. I would like to read into the record the leadup to the recommendation. It says:

"Changes in method of election and composition of councils and school boards: In most cases, alterations in the method of election of members of council (ward basis to at-large basis and vice versa) and reductions or increases in the size of a council are made as a result of an application to the Ontario Municipal Board. In one municipality, a change in the method of election was approved in October 1982, which was an election year. There have been several other instances in recent years where changes in the method of election or council size have received OMB approval between April and August of the election year.

"Section 59 of the Education Act permits changes in the composition of a school board to take place until mid-September of an election



year. We believe that changes in the method of election and composition of both municipal councils and school boards should be made well in advance of polling day."

I would like to raise two points. First, the recommendation the member has borrowed to put into resolution form before this Legislature, which he suggests is guidance to future governments and legislatures, really was intended as guidance to the Ontario Municipal Board and guidance to local school boards and councils in terms of changing their composition. Second, the dates mentioned are August to October of an election year. So even if one concludes that we should be looking at guidance to this Legislature, the dates of legislation are well in advance of the months suggested in the rationale leading up to this recommendation.

There was a second recommendation in the committee report, which reads, "The committee recommends that the Legislative Assembly of Ontario not enact any legislation affecting the local government electoral process within the six months immediately preceding voting day, in an election year."

This year, the municipal election will take place on November 14, and six months ahead was May 14. I would submit that the government has lived up to the spirit of this initial recommendation, which the member has not chosen to incorporate into his resolution, strangely enough. The item that prompted the recommendation is mentioned in the rationale. It says, "the majority of the respondents felt that the timing of the passing of the bill was inappropriate," and it refers to Bill 38, which enfranchised persons in psychiatric facilities and required municipal clerks to set up additional polling stations in nursing homes and psychiatric facilities.

The election in 1985 took place on November 12, and Bill 38 was passed and given royal assent on October 28, 1985, so the date of passing of legislation that prompted this recommendation was a bill that passed just a few weeks prior to the election.

In this case, we have enacted several bills relating to the municipal election this fall, as has been pointed out: Bill 29, An Act to amend the Municipality of Metropolitan Toronto Act, which went through the Legislature in February, was passed well before the six-month guideline suggested in this particular resolution; Bill 125, An Act to amend the Education Act and certain other Acts related to Education, and Bill 77, An Act to amend the Municipal Elections Act and the Assessment Act, were passed earlier this

spring, and Bill 106 was given third reading yesterday. Mind you, it was after the May 14 suggestion, but first reading was given well in advance of May 14, and indeed, if one looks at the work that led up to Bill 106, there is a considerable history there.

I would take note that Bill 106 had not been developed in secret without input from the people who will be most affected by it. It was adopted after full consultation with the advisory committee, consultation with the Association of Municipalities of Ontario and with people across Ontario. Indeed, the Ministry of Municipal Affairs began holding seminars across the province for people interested in running for local government election. These were held early in the year, and the changes proposed for Bill 106 were presented to any of the people who attended.

The changes proposed for Bill 106 were circulated across the province after the minister's statement last December. The minister made a statement in the House outlining the changes to be proposed in Bill 106. They were sent to all the clerks right across the province, and the seminars informed average citizens and members of council. The only significant change to Bill 106 prior to its introduction was the addition of the option to go for a tax rebate or a donation rebate system. That particular aspect was added to the bill and is optional. No municipal council is obliged to introduce that. They have the option to introduce it, so it is not being imposed upon municipalities.

I would suggest that the rationale being given by the member for Oshawa is an erroneous one. In the first place, the rationale he has used is for a recommendation in the report which he has not incorporated in his resolution. Second, even if one gives him the benefit of the doubt and says that it is guidance to the Legislature, the recommendation was for six months prior to the election, and the government has adhered to the spirit of that: in prior notice, well in advance of these bills being passed; there was full debate in the Legislature; a couple of the bills went to committee, with hearings and there was ample consultation; the Association of Municipalities of Ontario supported Bill 106.

**1040**

Indeed, I am puzzled because there seem to be considerable differences of opinion emerging within the official opposition. In the Toronto Globe and Mail on Monday, May 2, Robin Sears, assistant to the leader, indicated that Bill 106 had the full support of the New Democratic



Party: "Mr. Sears said the bill will be beneficial to New Democrats 'who don't raise money from development lawyers.' He added that neither the Liberals nor the Conservatives are enthusiastic about the new legislation."

I find it rather strange that yesterday in the House the official opposition voted against Bill 106, despite the fact that the member for Oshawa indicated his support of this kind of reform. There seems to be a moving back and forth within that party.

In fact, the members of the official opposition who represented that party in the committee hearings indicated that they wanted to see the bill passed and that they wanted the committee to deal with it quickly and get it back to the Legislature for speedy approval, so I was surprised to hear that the official opposition voted against this important municipal reform. As I said at the beginning of my speech, perhaps the pace of reform is too fast for the official opposition.

However, we feel that the four pieces of legislation affecting this fall's municipal election were passed in ample time and that sufficient warning was given right across the province. Consultation occurred with all four pieces of legislation and a great deal of assistance will be given by the ministry to the municipalities in helping them to understand the details of it and to implement it effectively for this fall's election. Thank you, Madam Speaker, for the opportunity to speak on this resolution.

**Ms. Bryden:** I am very pleased the member for Oshawa brought in this resolution in order to give this House an opportunity to point out that the majority Liberal government is no different from the arrogant and bumbling Conservative majority government it replaced.

By stubbornly pushing through major changes in the whole electoral process in the province less than six months before the November 14 municipal election is due, the Minister of Municipal Affairs completely ignored the recommendation of the government-appointed Advisory Committee on Municipal Elections that no changes in the method of election or in the composition of municipal councils or school boards be permitted after January 15 of an election year.

The committee consisted of some very qualified people: Anne Johnston, former Toronto alderman; Gerald Parisien, former mayor of Cornwall and past president of the Association of Municipalities of Ontario, and Mary Erichsen-Brown, former from the Simcoe County Board of

Education trustee and past vice-president of the Association of Large School Boards in Ontario.

This knowledgeable and experienced group took a year to study the electoral process and made the recommendation we are discussing today. The minister has completely repudiated that recommendation, and we are here to discuss his follies and what may come from that. I do not mean his *Folies Bergères*; I mean his follies in pursuing this issue.

The changes in the rules for elections are embraced by at least four bills that have come before this House: there is Bill 29 to change all the arrangements for elections and voting in Metro Toronto municipal councils and school board elections; they have also radically changed the rules for all other municipal and school board elections throughout the rest of the province under Bill 106; they have radically changed the method of compiling lists of eligible voters for all councils and school boards across the province under Bill 77, and have radically changed the definitions of public, separate and French electors in Bill 125, which replaced an earlier bill, Bill 76, when it was found to be so flawed it had to be junked.

These bills were all introduced very late in 1987 or after the opening of the spring session on April 4, 1988. There was no time for adequate public hearings on any of them. There was no time or inclination to make a further study of anomalous situations that were pointed out by interested parties who wrote to the standing committee on general government which was examining Bill 106.

That attitude was: "We have been studying the process for years. We know what is best for the electors of this province. If you say the process is undemocratic or permits gerrymandering or is going to create all sorts of uncertainties, we say you are talking through your hat." That is really paraphrasing what the minister has been telling us.

The proof that Bill 106, the amendment to the Municipal Elections Act, was seriously flawed came when the minister's parliamentary assistant had to come to the general government committee and ask one of his trained seals on the committee to introduce no fewer than 30 amendments to the bill before it was ready to be sent back to the House.

Originally, it was brought to us as perfect legislation that had been studied for two or three years and did not need changing, but there were serious loopholes or errors pointed out by the various umbrella groups of municipal associa-



tions and municipal clerks; by the Association of Municipalities of Ontario and so on. The minister just had to move to close a lot of those loopholes and that was why there were 30 amendments.

One of the important amendments that was brought in was restoring the right of an elector to be sworn in at the polls if he had been left off the list, but was otherwise a qualified elector. That had been removed in the original Bill 106, but fortunately the minister brought back and reinstated that very democratic right.

I predict we are going to have the most awful foulup in our municipal elections this fall as a result of the lack of time for proper study of the bills because of the lateness of their introduction and the lack of opportunity for input by the actual electors themselves. It is all very well to consult municipal clerks and elected people in municipal councils and school boards across the province, but there are the people who just vote for those people and who appoint the people who appoint the municipal clerks.

The government is guilty of sheer procrastination in not getting the process under way sooner. It has been in power for almost three years now. It would not have had to ignore the wise advice of the advisory committee if it had started sooner. Is this the behaviour of a government we should have confidence in? I think not.

We in the New Democratic Party voted against this Bill 106 because we think that the government alone, if it insists on putting through Bill 106 as it has done, should be held responsible for it. We wanted to point out that we did not think it was without flaws, but that we felt that at this stage it was too late to amend it adequately, so we will have to regard the present operation of it in the coming election as a sort of pilot project to show where the errors and loopholes are in it. I hope we will have immediate legislation after the next municipal election to close whatever glaring loopholes are undoubtedly going to emerge in the process of the election.

We agree that we needed municipal election reform and local board electoral reform, but not at the price of creating a complete mess in the coming municipal elections, so we are expressing our regret that we are going to have that mess because of the stubbornness of the government.

**1050**

The parliamentary assistant says that most of these bills went through or were at least introduced in the six months before November 14. Let me point out that Bill 106 was passed yesterday and that Bill 125, the school board bill, was just passed on June 1 of this year, so they

certainly did not get under the six-month requirement. Some of the earlier ones went through very fast, without adequate hearings.

This hasty change in the rules will have disastrous consequences for many electors. Some will be left off the lists. Some will not find out how they can be sworn in or get a proxy before the polls have closed. Some will be disenfranchised through breakdowns in the administration or ambiguities in the law. Many will be inconvenienced and may even make court challenges to the legislation because of the ambiguities and the uncertainties. Many lawsuits may leave the future or the results up in the air.

Another very serious situation I want to mention in my closing minutes is that the school trustee elections are really completely in limbo because of the uncertainty about both the boundaries and the number of trustees who will be elected in each ward. This is particularly true in Metro Toronto. As a result, candidates cannot start campaigns, raise money, get out leaflets or even decide in which ward they are going to run until August 11. I gather that is now the date when they may find out the answers to these questions. This is completely irresponsible, to put our school board elections into such jeopardy and such uncertainty. This certainly could have been avoided throughout the province if they had started earlier, or it could have been clarified for the November 14 election if they had started earlier.

I am urging all members of this House to support this resolution and to tell the minister that he erred when he ignored the recommendation of the advisory committee, because that is exactly what he has done and that is what we are here to tell him today, as private members. Only a very stupid government would have let these situations arise. The uncertainties will put democratic elections in jeopardy this year.

**Mr. Pollock:** How much time have I got, Madam Speaker?

**The Acting Speaker (Miss Roberts):** You have eight minutes.

**Mr. Pollock:** I want to say that I am going to support the member for Oshawa's resolution. I think it is straightforward, quite factual and states it the way it should be, that the municipalities should have a lot of lead time to actually prepare for a general election. There is no question about it: we are rushing into this a little sooner than we should.

He mentioned the small municipalities that have part-time staffs. Of course, in a lot of those municipalities they are certainly just part-time



politicians. It takes them a little longer because, in some cases, they only meet once a month to familiarize themselves with any change to the regulations. The municipalities like to inform their voters, their ratepayers, on any changes just as well as any large municipalities. For instance, one way to inform the voters is to send a flyer out with the tax bill.

I have already received my tax bill for this year, and I might mention that in that tax bill there was a little flyer with a little graph showing how my tax dollars are spent. I will just run through that: 67 per cent of my tax dollars go to the board of education, 11 per cent go to the county and 22 per cent go to the local municipality to keep up the roads, the fire department and that sort of thing. I just felt that if there were changes to the Election Act, they could have sent out a flyer itemizing some of the important changes and keeping the voters informed out there.

I might say that I have already had a person come into my constituency office and ask if he could vote. I said: "As far as I know. You're a property owner." He said, "Yes, but I'm not a Canadian citizen; I'm an American citizen." He just wanted to know if that still allowed him to vote. I understand that under the new legislation, the only way you can vote, even in a municipal election, is to be a Canadian citizen.

Anyway, I told the chap I would check to see if he could have dual citizenship. Apparently, a British subject or a Canadian can have dual citizenship, but for an American it is questionable. For instance, you cannot just go out and have dual citizenship. If you want dual citizenship, you have to apply to the American embassy and nothing is guaranteed. They will rule on it.

The point I am trying to make is that if you have to apply to the American embassy to get dual citizenship, that will take a lot longer than 10 months. Even this resolution will not give the chap time to get dual citizenship if he wants to vote in a municipal election.

Those are a few of the things I wanted to put on the record.

I am sure members are aware that you usually get only about a 40 per cent turnout at a municipal election, so I think anything we can do to keep the general public informed about any changes is very important, and we should be doing our level best to do that.

Also, there seems to be some concern over the enumeration. Eventually, no doubt, it will fall into place, but there are certain problems there. I

wanted to put a few things on the record in that regard.

**Mr. Mahoney:** I found it interesting to hear the comments of the member for Oshawa at the beginning, because they were substantially different from the interpretation of the bill in its actual form. I respect the honourable member and his time in the House and I am sure he knows exactly what it is he is putting forward, but he suggested he was looking for some flexibility. And yet, when you read the resolution, it clearly states "no changes...be permitted after January 15 in an election year." Frankly, that is not flexibility.

The comments were made that he wanted to be fair with the government and would not attack us on, I guess, the substantive issues in Bill 106, but rather, would we just be a little flexible and try not to implement changes in the municipal elections after January 15 of an election year? That clearly is not what this particular resolution says.

Briefly, too, I want to point out that I found it interesting in the committee work on Bill 106 that the member for Markham (Mr. Cousens) referred to 30 amendments from the government side, many of them a result of the consultation process that took place very substantially prior to it coming to committee. We heard from delegates from the Association of Municipalities of Ontario, from the Association of Municipal Clerks and Treasurers of Ontario and from numerous school board associations across the province that came in and made suggestions on how we could best change it.

Clearly, some did say, "We don't want it implemented until 1991," but the reality is that if you do not implement it, now that we have implemented Bill 106, and if you look at this resolution and see what the effect would be if this resolution were in place, the effect would be that many of the good and very progressive changes in Bill 106 would not be able to be implemented this year.

I refer members to the change requiring two advance polls and requiring that the advance polls be properly accessible for the handicapped. If the honourable member's resolution were in fact part of the legislation, then we would not be able to implement those for another three and a half years, and I am sure the honourable member would not want to see that happen.

On the issue of proxy votes, the fact that a seasonal property owner is allowed to go and vote for all voting members of his family who are on the list—something seen as very progressive,



something seen as very valuable for people with seasonal property—again, we would not be able to implement that if the honourable member's resolution were put forward. The change, I think, and the difficulty that I hear particularly the members from the Conservative Party talking about, I understand, because frankly, in the many, many years when they were in government, they were used to the status quo. I, as a municipal councillor for a number of years, was used to the status quo and used to things not changing.

1100

This government is looking to change in all areas of this province and, I think, leading the way with very positive reform. The many bills that the honourable member for Brantford referred to, and Bill 106, are positive and are bills that, as I said, we would not be allowed to deal with in the context of an election year. I think that would be a mistake.

**Mr. Breaugh:** It perhaps was impossible. I did try to have this printed. It has been in Orders and Notices for almost a month. It is hidden carefully on the top of everyone's desk this morning. I have listened to members speak about a bill which does not exist. I have listened to them talk about a number of pieces of legislation which are not on the agenda this morning. What is here is a fairly straightforward resolution which was brought forward by an advisory committee of the ministry.

I am somewhat taken aback that some of the government members seem to abuse that group that works so hard for them and would have silly notions. It says nothing at all in the resolution about what a government can or cannot do. It simply addresses the fact that whatever government is going to do, it should get it done by the middle of January in election year.

I do not think that is an unreasonable request. That was simply advice from an advisory committee to a minister that simply said to the ministry, "Get your act together. If you want to propose legislative changes, propose them, but get them done in time that the municipalities have a reasonable opportunity to implement those." I do not think that was an unreasonable piece of advice from them in 1987 and I do not think it would be an unreasonable piece of advice from this Legislature, as private members, to the government this morning.

It seems to me that is all the resolution calls for. Many of the members who may want to be anxious, I suppose, to defend the government's record on the matter, do so, but it seems to me

that this fall they are going to have to explain to some people why there are some problems with this fall's municipal election, and they are unnecessary problems. There are lots of things that we would have liked to have supported and would have on other occasions but we are trying to address ourselves, this morning, to the practical matter.

Now, I was somewhat taken aback by the attack by the parliamentary assistant to the member for Brant-Haldimand, and then I reflected for a moment. I knew him when he was waffling to the left and now he is waffling to the right. It is true, there is movement, but he is not going anywhere. There is only one more political party that he has yet to join in the chamber and he will probably join them in a short while. So, I listened to him speak for 10 minutes. He imputed motives to the advisory committee, to me and everybody else in here. He did everything but say whether he was for or against the resolution.

What a pity.

**The Deputy Speaker:** This concludes the debate on Mr. Breaugh's resolution.

#### SEXUAL ASSAULT

Mr. Jackson moved resolution 37:

That in the opinion of this House, the standing committee on social development should be directed to consider and report to this House by November 30, 1988, on the problem of sexual assault in this province;

That the committee should conduct its inquiry in three phases:

(a) In the first phase, to the extent that is possible to do so within the bounds of provincial jurisdiction, to consider the attitude of the courts, legal institutions and law enforcement agencies toward sexual assault, and their treatment of its victims, and in particular to consider the attitude exhibited, statements made and sentences imposed by judges during sexual assault trials;

(b) In the second phase, to consider the provision of counselling, support, crisis intervention and other services to the victims of sexual assault, and in particular to consider the funding needs and other needs of nonprofit and/or volunteer groups and organizations which provide services to the victims of sexual assault;

(c) And in the third phase, to consider the causes of sexual assault and the prevention thereof, and to consider any other issues related to sexual assault which the committee may deem relevant or wish to consider;

That the committee should have the authority to release its reports during any adjournment or



recess between sessions by depositing a copy of the report with the clerk of the assembly and upon resumption of meetings of the House, the chairman of the committee should bring such reports before the House in accordance with the standing orders;

That the committee should have the authority to sit concurrently with the House and during any adjournment or recess of the House, subject to the approval of the three party House leaders;

And that while the committee is engaged in consideration of the problem of sexual assault in the province, the committee should have authority to adjourn from place to place in Ontario, and a full Hansard service should be provided for the committee.

**The Deputy Speaker:** Mr. Jackson has moved the resolution standing in his name. The honourable member has up to 20 minutes to make his presentation and may reserve any portion of it for the windup.

**Mr. Jackson:** At the outset, I wish to make one point about this rather extensive resolution that I have just read into Hansard.

The point I wish to make is that what is at issue here is the principle of taking what is a very serious and traumatic issue in this province and bringing it clearly within full focus and before a committee of this Legislature so that the public, the victims of sexual assault, have an opportunity to present their case clearly before members of this Legislature.

To the extent that they have not been provided with that opportunity, I believe much will be achieved and can be achieved by allowing them an opportunity to present their case directly to elected people, those of us who actually make the laws and who are responsible for the necessary reforms that it is abundantly clear are required.

I now wish to present my concerns and the issue here, and why I feel so strongly about victims in Ontario having an opportunity for this input.

The minister responsible for women's issues (Mr. Sorbara) has already announced plans for a 13-ministry, interministerial study of the problems of sexual assault. That is a worthwhile venture. It is long overdue and it has the full support of our party. But when I asked the minister whether these civil servants are going to meet with the real victims, to hear their experiences at the hands of the court system, the police, even in the course of certain episodes in hospitals, he indicated they would not.

This answer comes from the same minister who has shown his commitment to the women of

this province by leaving vacant the presidency and I believe it is eight seats on the board of the Ontario Advisory Council on Women's Issues. We are looking for something more solid and concrete from the minister in terms of his commitment to women and their need to have their advocacy role strengthened in this province.

There is money for a \$600,000 ad campaign and there is time for a bunch of bureaucrats to discuss the matter behind closed doors, but, according to the minister responsible for women's issues, there is no opportunity for the real victims to be allowed to talk directly to us as politicians and members of the public about their experiences in the system.

That to my mind is unacceptable and any action, any reform has to involve victim input and an accompanying change in attitude by members of this House. It is essential that input be allowed.

My study of this issue and my experiences talking with victims and women's advocates and sexual assault crisis workers have shaped and changed my views on this important issue. It is my hope that this committee study will do the same for other MPPs.

The first area of inquiry, the manner in which our legal and other institutions treat victims of sexual assault, shows why an attitude change is required. Members have already heard some of the comments and sentences handed down by judges in Ontario in sexual assault cases. I raised a question with the Attorney General (Mr. Scott) some two weeks ago. Comments from judges like, "No evidence of any permanent injury inflicted upon the complainant." In this case, it was a 13-year-old girl who had been sexually assaulted. Or a judge who says that the sentence should not be as harsh because there was no damage to the victim's clothing. Or a sentence like 90 days to be served on weekends because the accused came from a "good family."

This was all very well documented by the Metro Action Committee on Public Violence Against Women and Children and they have provided a copy of that document for all members of this House. It has become the leader in tracking and monitoring this crucial issue in this province. Its executive director, Patricia Marshall, deserves tremendous credit for the work and advocacy that she has done.

#### 1110

The fact is, as documented by Boyle in her book *Sexual Assault* and Nadin-Davies in his book *Sentencing in Canada*, courts are still not giving adequate consideration to the impact of



sexual assault on its victims. When I asked the Attorney General about this during question period, he was unwilling to take any action. He suggested that he would hide behind the issue of judicial independence, claiming that his hands were in fact tied. That answer just simply is not good enough today in Ontario. The rape victims of this province will not buy this hands-off approach.

We all remember 73-year-old Judge Vannini, the Liberal appointee—I believe it was Lester Pearson who appointed him—who based sentences on whether or not the complainant was a virgin. While provincial jurisdiction over this issue is limited, as the motion admits, it is about time for a committee of this Legislature to study it for the first time ever.

Attitude problems are not new. As a matter of fact, my intern, who was doing some examination of this subject, found out that there was a passage in the law of Alfred the Great back in 892 AD. I will quote from the law: If a man "seizes the breast of a woman...and lies with her, he shall pay 60 shillings compensation...if another man has previously lain with her, then the compensation shall be half this sum." It seems this dehumanizing attitudinal problem is more than 1,000 years old.

I am reminded of the Attorney General's meeting with the people from Metrac, which I referred to earlier, and his statement to them that crown attorneys can afford to spend only 15 minutes with a victim witness before a trial. I find it shocking that this crime, which will leave its mark on victims for years, merits only a 15-minute pretrial meeting in Ontario.

A decade ago, the Provincial Secretariat for Justice held a Consultation on Rape. One of the results was a booklet which advised medical, police, educational and rape crisis workers on how to deal with victims. Perhaps the committee could consider similar materials for court officials and crown attorneys. Why can our law schools and bar admission courses not teach students about sexual assault and the historic attitudinal problem so that we develop a generation of young lawyers and future judges who have no link with the misguided and dangerous stereotypes of the past?

I suggest to members that it will be important to consider sexual assault victims' perceptions of their treatment by other institutions as well. The Canadian Urban Victimization Survey found that almost two thirds of sexual assault victims do not report to the police, largely because they believe that this will only add to their trauma. The study

also found that those who have been sexually assaulted are more likely than victims of any other crime to give police a poor rating on keeping them informed on the progress of their case, on the courtesy they display and on overall performance.

Why is there a dichotomy between hospitals, where reporting to the police is mandatory—a major psychological trauma for women, who fear the police to begin with—and rape crisis centres, which allow victims to choose how far they will pursue the crime in the courts? The latter system preserves victims' privacy and freedom of choice. A legislative inquiry would force the government to create an agenda to address this difference and to make public its true policy approach in this matter. I realize that law enforcement officers are taking steps to deal with these negative perceptions, but I remind members that these perceptions are real and they must be addressed.

With your indulgence, Mr. Speaker, I wish to quote from a letter which was anonymously forwarded to me by a woman who describes her treatment before the police. It is actually a letter which was signed and addressed to Clare Westcott at the Metropolitan Toronto Police Commission offices. I quote from the letter.

"I had lived for many years with a violent and abusive man. When this man began to hurt our son, I did what I assume a great many women in this situation do, and that was to decide to try to end the relationship. It took me two and a half years to do this. It involved a great deal of court effort and cost me \$30,000. The \$30,000 represents all the assets I had from the sale of our home.

"During this time, while we were in court and not living together, this man waged an intensive and vindictive battle against me at every level of court. As well, this man appeared unpredictably and randomly to terrorize us with his threats, violence and explosive rages of temper that left us, if not knee deep in broken glass, with enough shards on the kitchen floor that, for a whole year, no one went barefoot in our kitchen.

"When I called the police, the police could come and I would catch them as they started to 'keep the peace.' I remember standing there, often bruised, sometimes bleeding, petrified on one hand, relieved on the other that we were alive, guilty and ashamed of what was happening, wondering how and when this would all end and accepting the whole time that this was part of a normal separation. It never occurred to me that



I had the right to be protected and that what was happening was a crime.

"The reason I am writing is not to blame or seek redress. The reason I am deeply embittered of the police is that, in fact, the police behaved no differently than anyone else in my life at this time."

This is not an academic exercise. We are talking about real pain and real suffering by thousands of women. It is caused partly by societal attitudes. We, as legislators, can play a leading role in changing those attitudes. After all, is not the authoritative allocation of values the essence of what government and representation is all about?

The second area of inquiry would allow the committee to look into support services for women who have been raped or sexually assaulted. When a rapist goes to jail in Ontario, he has at his disposal nearly 100 social workers and 60 psychologists, all paid for with taxpayers' dollars, but his victims receive very little, if anything. Long-term counselling is paid for by the victims themselves, except for any money they recover from the Criminal Injuries Compensation Board. Yesterday, I discussed the fact that even this money comes from the taxpayers. The perpetrators get away scot-free. Actually, the Criminal Injuries Compensation Board can sue criminals to recover the money it has paid out, but it recovers less than two per cent of its total awards under this method. Should victims not be allowed to come forward and address this glaring inequity before a committee of this Legislature?

The only free service is the actual crisis intervention, which is support and counselling provided immediately after a victim has been attacked. But even this help, in Ontario, is threatened. Ontario rape crisis centres right now are hanging by a thread—not all, but some. Emergency funding keeps alive the centres in Kenora and Oshawa, and this cash was extended only following joint pressure from the Ontario Coalition of Rape Crisis Centres, the opposition here at Queen's Park and the media. Meanwhile, the Sault Ste. Marie centre still remains closed as a result of a form of financial starvation.

My discussions with representatives from crisis centres across the province have revealed that their most important need is a stable, long-term funding formula. Members might be surprised to hear that these centres are not allowed to direct any government money towards staffing costs. While over 150 salaried professionals coddle and counsel our criminal popula-

tion, rape victims are forced to rely on volunteers.

Rape crisis volunteers are being exploited. They are expected to do a variety of things. They are required to meet victims during the middle of the night to escort them to the hospital. They are required to have an extremely good understanding of our legal system here in Ontario. They also have to be sensitive to the issues and the personal impact that a violent rape has on an individual. These are skills that do not come easily. We are placing an unreasonable expectation on the volunteer sector in thinking that the level of support service can be maintained in the environment of a rape crisis centre without that funding.

#### 1120

I would like to quote from the Hamilton Spectator of April 26, 1988. It is a story by reporter Emilia Casella and it quotes Vilma Rossi, the executive director of the Sexual Assault Centre in Hamilton:

"'They want us to remain volunteer-based, but we have to have a core of staff. It's imperative,' to provide training and keep the centres running smoothly, Ms. Rossi said....

"The Ministry of the Solicitor General provides \$300,000 to 20 centres in Ontario. Ms. Rossi says the money barely covers operating costs and cannot be used to pay office workers....

"All centres have to secure outside donations to survive. At northern Ontario centres, where fund-raising is difficult, some volunteers have taken part-time jobs to keep their centres open, she said.

"'We're almost expecting these women to live at a poverty level,' said Ms. Rossi," in order to provide the services that are so critically required in her community. The article continues, "'That's just become a situation we can't tolerate any more'" in the field, and we certainly cannot tolerate as legislators.

The Solicitor General (Mrs. Smith) says funds are limited. I say it is a simple question of setting priorities and spending the existing funds within her ministry more wisely. Meanwhile, the main office costs of Liberal cabinet ministers have gone up by 49.6 per cent over the past three and a half years, two and a half times the inflation rate for that period. The Liberals have their staffing needs looked after. What about the women and children who rely on rape crisis centres in Ontario? When is it going to be their turn to have their staffing needs met?

These crisis intervention centres play a vital role for rape victims in Ontario; therefore, it is essential that they receive the co-operation and



the support from this government and from all other agencies.

I am reminded of a situation that took place in my own constituency just last March, involving a 78-year-old female sexual assault victim. She lives alone. She was severely traumatized and she needed counselling and support just to overcome her fear of returning to her apartment alone because her assailant had never been caught.

In my community, we are fortunate to have an active group. It is called Sexual Assault Services of Halton, SASH for short, which is struggling without any provincial funding. With no family in Burlington, it took a friend of this victim to call my constituency office five days later to find the number for this counselling service. Within an hour, they had a counsellor at her bedside. She sat in that hospital alone for five days.

The government clearly should take steps to ensure that there are strong communication links between the centres and others who deal with rape victims, so that those in need of counselling and support can be quickly referred to the appropriate agencies. It should ensure that groups like SASH receive the funding that they need in order to stabilize, so that constituents like my own will have somewhere to turn in their hour of need.

This proposal will not change the way women are treated by our legal institutions, nor will it resolve fully the funding needs of groups which provide services to victims, but it will allow victims to come forward to share with MPPs their experiences through participation in a public inquiry before an all-party committee of this House. As this House and this government move to tackle the problems of sexual assault, we cannot forget to reserve for victims a prominent place at the table. They must be heard and we, as responsible legislators, must listen.

**Ms. Collins:** I would like to respond to the member for Burlington South (Mr. Jackson) on this motion. The Ontario government is committed to addressing the serious problem. Sexual assault, like other forms of violence against women, is a barrier to women's equal participation in society. One in four Canadian women is sexually assaulted during her life. Most women live with the fear of being sexually assaulted. Sexual assault is a serious and frequent crime that affects our whole society.

On May 31, the minister responsible for women's issues launched a month-long, sexual assault public education campaign called Sexual Assault: It's a Crime. The aim of the campaign is

to educate the public about this issue. The first step in prevention of sexual assault is knowledge. As a society, we must know about the problem in order to deal with it and attempt to eliminate it.

The Ontario government is committed to preventing sexual assault and the main theme of this campaign is that prevention of sexual assault is a community responsibility. This public education campaign will increase awareness of sexual assault and the myths that surround it. The government is committed to prevention of sexual assault in the long term and to providing support services for victims now. The campaign is designed to change attitudes about the seriousness of this problem and the need for broader public support for victims of sexual assault.

I would like to outline briefly aims of the sexual assault public education campaign currently under way. One of its aims is to shatter myths. We have heard many myths about sexual assault. One of the most common myths is that sexual assaults take place only in dark alleys, late at night, and that they are committed by someone who is a stranger to the victim. The facts are: more than half of all sexual assaults take place in private homes, and in more than half of all instances of sexual assault women are sexually assaulted by men they know. This includes their colleagues, neighbours, employers, dates or husbands.

This campaign challenges those myths. In so doing, it will encourage us to think about our attitudes and to realize as a community that we need to care and talk about this issue. Everyone has to understand that a woman has the right to say no, whatever the situation. We have to stop blaming victims and instead blame the perpetrators of this crime. Sexual assault will only end when men take responsibility for their violence towards women.

This campaign will educate the public that sexual assault is any unwanted act of a sexual nature, not just rape in a dark alley by a stranger. The campaign gives a clear message that any unwanted act of a sexual nature imposed by one person upon another is a crime. The campaign, which will run throughout this month, includes two television advertisements, produced in French and in English, which challenge widely held myths that blame women for being sexually assaulted and allow assailants to avoid responsibility for their actions. As well, a brochure on sexual assault is being widely distributed in many public locations throughout the province, including grocery stores.



A third component of the campaign is \$120,000 in funding which has been issued by the Ontario women's directorate to 69 community groups across Ontario. These funds are being used for local public education initiatives specific to the needs of local communities. These projects will reinforce the messages of the mass-media advertising.

I want to give a few examples of what this money is doing in local communities. In Chatham, the Chatham-Kent Assault Centre is undertaking a survey and a sexual assault public education display in a local shopping mall and presenting two public forums on the issue. In Kenora, the Ojibway Tribal Family Services is presenting sexual assault workshops led by native female leaders to native women from 14 bands. In Sudbury, the Sudbury Sexual Assault Crisis Centre is producing three pamphlets on sexual assault to be distributed in 65 area secondary and post-secondary schools. In Brantford, Nova Vita Women's Shelter has developed a comprehensive information package to be distributed throughout Brant county.

In Fort Frances, the Rainy River District Community Legal Clinic is developing and implementing a local media campaign about community responsibility in prevention of sexual assault. In Ottawa, Maison d'amitie is developing and printing a brochure on sexual assault to be distributed at a series of three workshops for staff and residents of the shelter.

These projects reflect the wide range of sexual assault public education initiatives that are taking place throughout Ontario using these funds. These achievements, which are being realized in Ontario communities and the impact of this major sexual assault public education campaign today reflect the commitment of the government to a comprehensive program that treats effectively the many elements of sexual assault.

To the extent that the member's resolution implies his personal support for this campaign, I want to welcome that support. At the same time, I cannot agree with his proposal that the standing committee on social development conduct the kind of inquiry that he has outlined. Notwithstanding the government's commitment to this issue, we are not convinced that standing committee hearings are the appropriate solution. Instead, we are supporting and carrying out an interministerial approach to dealing effectively with this serious crime.

1130

The Ontario women's directorate will chair the first meeting of the interministerial committee on

sexual assault in mid-June. Thirteen ministries will discuss programs and policies to reduce the incidence of sexual assault and to support, in a co-ordinated and comprehensive manner, the victims of this crime.

The advantages of an interministerial approach have been demonstrated by, for example, the work of the interministerial committee on family violence which was successful in developing policies and programs related to family violence in Ontario. An interministerial approach to an issue such as sexual assault will facilitate input from the public through consultation with the ministries represented on the committee.

Let me assure my honourable friend that this government is working hard to make sure that the public understands the tragic dimensions of sexual assault. Sexual assault is a crime. The real remedies to sexual assault lie in action. The time for discovery and reflection in relation to this issue is long past. Yet this is the approach the member's resolution would have us take. I know, as do the growing numbers of people in Ontario whose personal and professional lives have been touched by sexual assault, that this problem must be solved and soon.

As I have described to the members, the government is embarked on an integrated and co-ordinated approach to sexual assault, an approach that I am confident will result in effective action—action that will, in the long term, eliminate this serious crime from our communities.

**Ms. Bryden:** I am afraid the member who put forth this resolution is incorrect when he says his is a first-time-ever proposal for a committee to review the problem of sexual assault. He should have looked at the history of the Conservative regime in this province.

Back in 1982 there was a standing committee which heard many briefs on the question of wife-battering. I sat on that committee. It went on for most of the summer that year and produced a very excellent report. I think it is up to the member for Burlington South to tell us why the Progressive Conservative government did practically nothing to implement this report.

It covered all the issues he wants to cover in this new study and it had some admirable recommendations. The major one was: "The Ministry of Community and Social Services should introduce without delay a bill devoted exclusively to the issue of wife-battering. In particular, the bill should ensure that the capital and operating costs of transition houses for



battered women and their children, including the cost of support services"—that is, counselling and so on—"are adequately funded. Standards for the houses should be prescribed."

That is one of many recommendations. This committee also interviewed some of the victims, personally, before the committee. Some of them had to be held in camera at the request of the victim. We also interviewed wife batterers and ended up with a much greater understanding of the subject.

I will say that the subject was referred to the standing committee on social development by 20 opposition members standing and saying, "We want this study." But it shows how little value studies are if nothing happens from them, and I think that is what is wrong with this resolution. However, I will support it because I think we have to focus attention on the problem, but it is the weakest possible response the member for Burlington South could have suggested to this House.

I think the second weakest response is what the Liberal government is doing and what we have just heard about. The spokesperson for the Liberal government has said that the government has shown its commitment to dealing with this problem. How is it showing this? By spending \$600,000, throwing away money on ads on the subject.

I do not say we do not need some advertising education, we do; but the real education has to be made at all levels of judges who make the decisions when rape victims come before them. It has to be education among all the law enforcement officers and among all the social service people serving the victims. It needs to educate right down the system; but it also needs to support the victims.

That is where this government is extremely weak. The requests by the rape crisis centres for a long-term funding program that would cover both capital and operating costs and would provide them with a minimum paid staff have been completely rejected to this date by the Solicitor General's office and they are still negotiating the 1988-89 grants two and a half months after the fiscal year began.

The rape crisis centres are going to the bank to borrow or borrowing from friends. Several of them have threatened to or possibly decided they would have to close their doors. They have laid off staff. They have cut payrolls. They just are being starved out of existence by the delay of the Ministry of the Solicitor General to come to an agreement with them, to negotiate an agreement

for 1988-89. They started this negotiation in February and March, presenting long-term plans and proposals for how they should be carrying out their very important assignment of bringing caring service to the victims of rape in this province.

I understand that all the Solicitor General has done is to bail out two that were about to close their doors: Oshawa and Kenora. They have given a little bit of extra money to the people in Hamilton, because they asked for it, to handle the extra request for service they expect will come out of this \$600,000 advertising campaign.

I am not saying we should not have some advertising, but at least half of that \$600,000 could have been spent to give actual help to the rape crisis centres in an immediate interim arrangement, and there should be a long-term funding plan to enable these centres to continue to operate.

They are the only game in town in many cases. They are the only people who are bringing compassionate, caring service to the victims. They are the only people who are doing any education in many communities, and they need money for education, for buildings, for operating costs. They need help in getting victims rehabilitated in jobs and in housing, but they just cannot do the job with volunteer staff. Their volunteers are burning out every couple of years. They just cannot keep up with answering the phone for emergencies and trying to do all the other things, and then spend half their time in fund-raising as well.

I think what we should have before us today is an action plan, which we should demand of the government in power, to immediately solve this question of how rape crisis centres and transition houses can be adequately funded.

The standing committee rejected the present route of having them partly funded by municipal welfare services. That is why they want a separate act. That is why they want to give the recognition to this service that it is not a service for people who are on welfare and to be dealt with by municipal welfare administrators who do not understand a lot of the problems and are too busy. It should be dealt with by a special provincial body entrusted with solving the problems of the victims of sexual assault and stopping the causes.

We are told that one in 10 women is battered, but we do not have enough research on what the reason is and how it can be stopped. We do not have enough counselling for wife batterers, there are only a few facilities available; and we do not



have enough support services for the victims in rape crisis centres and in transition houses.

1140

I think in this debate we should vote for the resolution, but say this is only an indication of what needs to be done. We hope there will be an action program out of the government in power very soon, that it will not be just stopping rape crisis centres from closing their doors and that it will be a long-term program to put them on a basis where they can be recognized in the community and not have to go out begging for funds from every source possible but can get on with the job of looking after sexual assault and educating the public, the judges and all of the other people who need much more public awareness on the problem.

I hope that out of this resolution we will get a much greater commitment from the Liberal government. I hope they will certainly tell the Solicitor General to get a new agreement by, I would say, the end of this month with all the rape crisis centres so they will know where they stand and not have to tell their bank managers: "We are sorry, we cannot pay our bills this month;" and they will not have their volunteers say, "We cannot man the phone around the clock because everybody is worn out."

We have to get something more concrete out of this government. If we do not, it has failed in its commitment to reform things that were left dormant by the previous government.

**Mrs. Cunningham:** It gives me a great deal of pleasure to rise in the House today to support my colleague's resolution.

Sexual assault is a crime affecting women of all ages. I think it is time the government make a serious commitment to helping victims of rape. There is no doubt about the need for help for these victims and, just as much, for their families.

My colleague's resolution asks that the standing committee on social development consider the problem of sexual assault and report to the House by November 30. He has also asked that the committee conduct an inquiry in three phases. I would like to take this opportunity to comment briefly on these phases.

The first phase of the inquiry will consider the attitude of the courts in statements made and sentences imposed by judges during sexual assault trials. It is well known by this House, and was referred to earlier, that on January 11, Mr. Justice Vannini handed down a sentence of a mere 90 days to Bruce Glassford to be served on weekends. This sentence was totally inappropri-

ate for this 22-year-old man who beat and sexually assaulted a 27-year-old woman. Mr. Justice Vannini stated that Bruce Glassford "came from a good family" and that "the attack was short in duration." These words are no comfort to victims, to their families and to the citizens of Ontario.

This 90-day sentence was appealed and a new sentence of two years less a day was passed. However, in this case and others like it, appeals should not be necessary. Stronger first sentences are required and must be enforced.

Mr. Justice Vannini is not the only judge who has taken the crime of rape lightly, who does not understand the major trauma, the physical and emotional abuse that victims carry with them for the rest of their lives. The standing committee on social development would closely observe the attitudes of our judges and help to ensure enforcement of reasonable sentences.

Obviously, public education is important. It is also important for doctors, for other professionals and educators and, obviously, especially important for criminal and justice system workers. It should be necessary and provided as part of their professional upgrading.

These are aspects of rape that most of us are not aware of, that should be looked at and studied by this committee with recommendations being made for improvement, at least in this part of the study, with regard to professional development of judges and the people involved in working with victims of rape.

The second phase of the inquiry would consider the provisions of counselling support, crisis intervention and other services to victims of sexual assault. In particular, it would consider the funding and other needs of nonprofit and/or volunteer groups and organizations which provide services to the victims of sexual assault.

What a wonderful opportunity to speak to people who are working in the 16 centres across Ontario and to get firsthand advice as to how their centres are working, what they need, what they are accomplishing and how we can provide service to these people.

As I have stated, there are 16 centres in the coalition, including one in my own riding of London North, the Sexual Assault Centre London, to which the citizens of London have access and for which they are appreciative. But what about the other parts of this province? What about small municipalities? What about the north? What about rural communities? Should they not have these same kinds of services? We should not be talking about supporting programs



and the services that exist; we should be talking about supporting those programs financially and expanding them.

Currently, these few centres are composed of volunteers. There is not enough money for paid staff. Volunteers are expected to provide all forms of counselling. They escort women to the hospital, sometimes in the middle of the night. These volunteers are often people who must learn these very necessary counselling and support skills in a very short period of time with very little assistance from professionals. The professionals who are working as volunteers are currently overworked in their own counselling centres and in their own day-to-day jobs as they work with families and women and children, and they give of their own free time to help other volunteers in the professional type of counselling necessary for the victims of rape.

It is difficult to get volunteers for the reason I have just mentioned and also because more women are entering the workforce. It is true of all volunteer services across Ontario. For those volunteers who do have the time, who are committed and who have made this a second unpaid career, they hardly have time to upgrade their skills, since there are very few people available to replace them while they attend the few courses that are provided.

The present funding from the Solicitor General does not allow for staff salaries. Funds must be used to cover the maintenance fees.

It would be wonderful to say that prevention through public education efforts and large advertising campaigns is the answer, but it is a very small part. We still have far too many victims of sexual assault. We commend the government on its sexual assault public education campaign, but we would urge the government to deal directly with the real substance of this tragedy in our society, and it is a very large tragedy. Someone earlier mentioned that 50 per cent of these rapes are committed in people's own homes; so this is an assault on the family.

The government's campaign is a legitimate acknowledgement that sexual assault is a very serious problem, but we are saying that much more needs to be done. We have services in place at this moment. Services in communities are very difficult to get started. It sometimes takes two or three years before we reap the benefits of the initial hard work. There is no possible way the centres can provide effective counselling services if they are without professional staff who are paid for the necessary counselling services and other services and who are qualified to train

the volunteers to perform some—not all, but some—of the support services necessary for the victims.

These 16 centres, and hopefully more, should receive ongoing funding. Programs should be a priority with this government and should be a higher priority than the advertising campaigns.

The standing committee on social development would carefully monitor the needs of these centres and assist the government in improving resources and funding available. The 1982 report referred to earlier recommended that rape crisis centres should be adequately funded, and that is capital, operating and support services.

It is fine to blame the past, but I did not notice that this was one of the priorities that came into the accord; so we cannot just blame the government of 1982. Certainly, the accord that existed did not consider rape crisis centres to be a priority and a topic of discussion.

The third phase would consider the causes of sexual assault and the prevention thereof and consider any other issues related to sexual assault which the committee may deem relevant or wish to consider.

I think everyone in the House is in agreement that sexual assault is a very serious crime. We need to take a critical look at prevention and causes in order to understand the psychology behind the crime and thereby establish more effective ways of dealing with sexual offenders and protecting our citizens.

In summary, there is much work to be done. I support my colleague's resolution and ask that the standing committee on social development be directed to consider the problem of sexual assault in the province and report its findings to the House.

**Miss Roberts:** In addressing this resolution, I would like to inform the House of my involvement over the past 20 years as a defence counsel and as a part-time crown attorney dealing with the accused with respect to sexual assaults and with victims and their families. I have also been involved for many years in working with juvenile delinquents, as they were called in the past, and with youthful offenders.

I am also going to be addressing what I consider this government, this province, is doing to recognize the problem and addressing the progress that has been made on the issue of sexual assault.

In considering the first phase that has been put forward by the member for Burlington South—that is, the inquiry into the attitude of the courts—I wish to advise the House that it is my experience



that the attitude of the courts, legal institutions and law enforcement agencies towards this crime and their treatment of its victims is improving dramatically.

I can recall being in courts back in the late 1960s in which it was a joke to have a victim put on the stand, where I might be the only person in the room who would have any consideration for the victim on the stand. I have noticed a great change in the development of the understanding of the courts and the persons surrounding the enforcement agencies with respect to sexual assault victims. As the *Toronto Star* reported last Saturday, a crackdown on sexual assault in the 1980s has resulted in a 25 per cent increase in charges across Canada in the past five years. Rapists and sex offenders now account for one in 10 prison inmates, up eight per cent from 1983.

Criminal lawyer Clayton Ruby has acknowledged this shift in the treatment of sexual offenders. He told the *Toronto Star*: "Ten years ago, the easiest crime to get an acquittal on was rape. You just almost never found a conviction. It was a defence counsel's dream." But times have changed, and Mr. Ruby says today that the pendulum has swung the other way. I do not fully agree with Mr. Ruby. I would say the pendulum is swinging towards the other way.

When we are talking about sexual assault, we must consider the principle of the independence of the judiciary. We must consider that governments appoint judges, and the judiciary must be independent from government coercion. That is not to say the government has not taken steps or should not take steps to respond to the concerns about appropriate sentencing for sexual assault. In particular, the Attorney General has taken a number of steps. Crown attorneys have been directed to make sexual assaults priority items when they order their trial lists.

The issue of sexual assault has been emphasized in many training programs for crown attorneys, training not only as to how they should deal with the prosecution but also sensitizing the crowns to this problem. Further, special crowns have been trained in most crown offices to co-ordinate the prosecution of child abuse cases, which are often of a sexual nature. The crowns are beginning to and do reflect society's increasing abhorrence of sexual assault by requesting more severe sentences than in the past and by appealing sentences which are deemed insufficient in terms of the crime.

The justice system is attempting to meet the problems with respect to sexual assault. The Solicitor General is working towards increasing

the understanding and sensitivity of police officers who deal with sexual assault. I have for many years dealt with police officers who have been involved in the investigations of sexual assault. Even in the smaller areas, they now have an officer who is trained and who is able to deal appropriately and properly with respect to helping out the victims of sexual assault.

I also must tell this House there are many other things, not just police officers and members who work in the courts, but there are also many doctors who have to be trained and who have to be sensitized to the problem of sexual assault.

We heard the announcement yesterday by the Solicitor General about attempting to make more officers better trained in dealing with sexual assault and doing away with the polygraph test with respect to victims.

In the brief time I have left, I find I cannot support the resolution of the member for Burlington South. I appreciate the opportunity to be able to debate this and discuss it in the House, but I cannot support the thrust of the resolution. This is not the time for a committee to review and inquire into this particular problem. This is not the time, as my friend has indicated, to allow people to come forward and tell their stories. That time has passed. The issue has been isolated, the issue has been acknowledged and the issue is being addressed. This government is responding. This is the time for action. This is the time that we as members of the House should recognize all the hard work that has been done by members of the various groups supporting and fighting the battle against sexual assault. We must be in the forefront of this battle ourselves.

Although I cannot support this resolution, I hope that all members of this House will join with me in the nonpartisan political sense and say: "This is the time for action. This is the time for us to ask the government to proceed in the way it has been." We must realize that sexual assault is a crime and that we must deal with it as such by a positive direction, not by just one more committee.

**Mr. Speaker:** The member for Burlington South has 90 seconds.

**Mr. Jackson:** I would like to thank my New Democratic Party colleague for her support, but I would point out that the report of the standing committee on social development was on family violence, not on rape and the government's attitude and the court's attitude to such a delicate subject. It would be a first in Ontario and it is long overdue.

The member for Elgin (Miss Roberts) provided a stirring defence of Judge Vannini and other members of our judicial system. Her remarks are truly remarkable. If this Liberal government is going to turn down a simple motion such as this, which would provide an opportunity for rape victims to come and talk to legislators, if it is not going to endorse that, then those issues will have to be raised consistently in this House, and that is inappropriate as well.

Government is expected to lead. It had better start showing some leadership. The member for Elgin must read the report of the Metro Action Committee on Public Violence Against Women and Children, which shows that there is not improvement, that there are still problems associated with certain attitudes, and that is the core of it.

The minister himself, the member for York Centre (Mr. Sorbara), has indicated he wants nothing to do with this kind of public accountability. In fact, in Orders and Notices today, was an amendment to this resolution, standing as resolution 39, which addressed each and every one of the concerns the minister responsible conveyed to me. Yet he and he alone said he would withdraw the unanimous consent necessary to modify the motion. He has absolutely no commitment on this issue and he does not want to have to stand and look at a report so that—

**Mr. Speaker:** The member's time has now expired.

1200

#### MUNICIPAL ELECTIONS

The House divided on Mr. Breagh's motion of resolution 32, which was negatived on the following vote:

##### Ayes

Brandt, Breagh, Bryden, Cooke, D. S., Cousens, Cunningham, Hampton, Harris, Jackson, Laughren, Mackenzie, Martel, Morin-

Strom, Pollock, Reville, Sterling, Swart, Villeneuve, Wildman.

##### Nays

Ballinger, Brown, Callahan, Campbell, Carrothers, Chiarelli, Collins, Daigeler, Dietsch, Elliot, Epp, Faubert, Fawcett, Ferraro, Fleet, Furlong, Henderson, Kozyra, Lipsett, MacDonald, Mahoney, Mancini, Matrundola, McGuinty, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Offer, Owen, Pelissero, Poirier, Poole, Ray, M. C., Reycraft, Roberts, Smith, D. W., Smith, E. J., Sorbara, South, Sullivan, Tatham, Velshi.

Ayes 19; nays 44.

#### SEXUAL ASSAULT

The House divided on Mr. Jackson's motion of resolution 37, which was negatived on the following vote:

##### Ayes

Brandt, Breagh, Bryden, Cooke, D. S., Cousens, Cunningham, Eves, Hampton, Harris, Jackson, Henderson, Laughren, Mackenzie, Martel, Morin-Strom, Philip, Pollock, Pouliot, Reville, Runciman, Sterling, Swart, Villeneuve, Wildman.

##### Nays

Ballinger, Brown, Callahan, Campbell, Carrothers, Chiarelli, Collins, Cooke, D. R., Daigeler, Dietsch, Elliot, Epp, Faubert, Fawcett, Ferraro, Fleet, Furlong, Kozyra, Lipsett, MacDonald, Mahoney, Mancini, Matrundola, McClelland, McGuinty, Miller, Morin;

Neumann, Nicholas, Nixon, J. B., Offer, Owen, Pelissero, Poirier, Poole, Ray, M. C., Reycraft, Roberts, Smith, D. W., Smith, E. J., Sorbara, South, Sullivan, Tatham, Velshi.

Ayes 24; nays 45.

The House recessed at 12:20 p.m.



## AFTERNOON SITTING

The House resumed at 1:30 p.m.

## MEMBERS' STATEMENTS

## PHOSPHATE DEPOSITS

**Mr. Laughren:** A couple of years ago, the Ministry of Northern Development and Mines commissioned a study to investigate the viability of developing the phosphate deposits in Cargill township, near Kapuskasing, and combining those phosphate deposits with the sulphur from the smelters in northern Ontario to produce fertilizer in the north.

At the present time, all phosphate rocks are imported into Canada and are combined with acids and other things to produce fertilizer. The value of that fertilizer market is in excess of \$100 million per year. The consultants' study indicated that by 1992 there was going to be a demand for more fertilizer in Ontario and other parts of Canada, recommended that the deposits be developed and indicated that the next move was for the Ontario government to commission the final phase of the study.

For years, the Sudbury community has been breathing and eating acid. It is time now to do something useful with it and it is time this government took the lead and used some of the money from the northern Ontario heritage fund to get this project off the drawing board. It is time for a fertilizer plant to be built in the community of Sudbury.

## CAMP BIG CANOE

**Mr. Cousens:** I am pleased to bring to the attention of members of this House and the people of Ontario a great fund-raising campaign that is being launched this summer by Camp Big Canoe. They are having a magnificent canoe-a-thon through northern Ontario wilderness areas with four large canoes. It is an opportunity for the people of Ontario to support a camp that has been teaching children life skills for many, many years.

For over 50 years now, Camp Big Canoe has been in operation, doing a wonderful job helping young people learn more about themselves and more about life. Located on Hart Lake in Muskoka country, near Bracebridge, this is a camp that has a great future but needs financial support at this stage. So a canoe-a-thon is being staged this summer, by which we hope to earn \$250,000 towards a goal of over \$750,000 over

several years. Twelve campers will travel approximately 100 kilometres in northern Ontario wilderness in four canoes.

We just hope that there will be sponsors who come forward and say, "Yes, we too would like to support the work of this great camp." If they are interested, we hope they will just make note of Camp Big Canoe. They can get more information by writing Post Office Box 415, Markham, Ontario, L3P 9Z9.

I am especially pleased that the member for Muskoka-Georgian Bay (Mr. Black) and I are both patrons of this worthy project and hope others will participate as well.

## AGRICULTURAL INDUSTRY

**Mr. Tatham:** Just a wee deoch an doris  
Just a wee drop, that's all  
And Oliver Mowat carried the ball.  
He fought for autonomy of the province's  
rights  
Way back in '96, that was the fight  
Controlling the sale of barleycorn hops  
Provincial autonomy came out on top.  
And now Peter Newman says in Maclean's  
The pizza contents, oh, what a shame.  
Could we lose mozzarella, the Canadian  
brand,  
And help dairy farmers in faraway lands?  
The chickens that feather and gain every day,  
Do we wave farewell to the Canadian way?  
What say you, good friends of the marketing  
board,  
With rifles reversed at the cenotaph stand?  
Is this trade agreement the best for our land?  
Countervail duties for Canadian hogs,  
But that's free trade, says an Ottawa cog.  
The wealth of advice from Simon we've  
heard.  
Oh! sez McCain, that wise Florenceville bird,  
According to Harrison, our food business will  
suffer.  
He contradicts Reisman, that free-trading  
duffer.  
So prepare yourself well, when soon could it  
be?  
One anthem we'll sing to the land of the free:  
Goodbye to the wine from the grapes of  
Niagara,  
Goodbye to the chickens, goodbye to the  
cream,  
Marketing boards just a faint dream.  
Shuffle the cards, deal one, two, three.

Please, sir, may I?  
What! say thee.

### WINTARIO BONUS PRIZES

**Mr. Hampton:** The government spends a great deal of money each year promoting the sale of its lottery tickets among residents of the province. In fact, the citizens of the province are literally inundated with television and newspaper ads urging them to purchase Wintario, Lottario and the like. These ads are very successful. Millions of people across the province, including northern Ontario residents, do purchase the \$1 Wintario tickets in the hope of winning the big prize, but also in the hope of winning the smaller but significant bonus prize.

Imagine the surprise of all of the residents of northern Ontario when they looked at their June 2 Wintario tickets and found that they would not be eligible for the bonus prize, because to be eligible for the bonus prize, you have to have a Sunoco gas station in your area and there are not any Sunoco gas stations north of North Bay or Englehart.

Amazing, is it not? Amazing. The province promotes the sale of lottery tickets supposedly for the benefit of the province and then offers on the lottery tickets bonus prizes which basically rule out one million people in the province from being able to take advantage of the bonus prize.

It is bad enough that the Treasurer (Mr. R. F. Nixon) makes our gas very expensive, but it is even worse when the government takes away from the people of northern Ontario a chance to take a little bonus.

### LIQUOR LICENCE BOARD OF ONTARIO

**Mr. Harris:** We have all become familiar with the tendency of the Premier (Mr. Peterson) to speak before he thinks. I would like to remind members, most of whom were not here, about a cheap shot during the 1985 campaign.

For more than three years now, a cloud, a kind of red haze, has been hanging over the heads of employees at the Liquor Licence Board of Ontario. It stems from allegations made during the election by the Premier that inspectors were pressuring licensees to contribute to the Progressive Conservative Party. These charges have never been substantiated. The Premier has had three years to back up his allegations with facts or to clear the names of those government employees.

He has done neither. The minister responsible for the LLBO told the House two and a half years ago he would review the situation and respond in

the Legislature. He has failed to do so. The reason is obvious. The Premier's allegations were false. It was a dirty, political cheap shot by the leader of the Liberal Party to tarnish his opponents at the expense of government workers. The level to which this Liberal leader would stoop does not surprise us, but we all expect more from a Premier of Ontario.

Professional reputations were unfairly attacked. The Premier was wrong. A formal apology, even at this late date, must be made.

### PORTUGAL NATIONAL DAY

**Mr. Ruprecht:** On behalf of the Premier (Mr. Peterson) and my colleagues, I rise for the purpose of recognizing an important event that dates back 408 years and which has been celebrated as Portugal National Day since 1880.

The celebration of the national day of Portugal is special and unique in the pages of history. Unlike some dates which commemorate an important political event such as a declaration of independence, on this historic occasion we ask the people of Ontario to join our Canadians of Portuguese heritage in their remembrance of a great, renowned poet and writer, Luiz de Camões. Though he passed away over 400 years ago, Camões left a living legacy of meaningful poetry and immortal beauty that has not withered with age.

### 1340

Yet, as important as the economic contributions are, the attention of Canadian-Portuguese children today is focused not on the prosperity and wealth that opportunities in Canada create, but on our democratic system of government that allows the people in our multicultural society of Ontario to celebrate a national literary hero of their forefathers' original homeland as a right.

Indeed, Luiz de Camões is an intellectual giant whose footsteps have crossed centuries of time and the Atlantic Ocean to implant into Canada a great heritage of love for literature, poetry and education. Therefore, in recognition of this special day, the government of Ontario proclaims—

**Mr. Speaker:** Order. The member's time has expired.

### ACCESS TO INFORMATION

**Mr. Speaker:** Just before I call for ministerial statements, on Tuesday last, the member for Nipissing (Mr. Harris) rose on a question of privilege, stating that he had received information from the translation service regarding the Thom commission report which stated:



"Text received for translation on May 6, 1987, approximately 175,000 words. It was requested July 31, 1987. It was renegotiated to August 21, 1987, and it was returned to the minister on August 14, 1987."

He also quoted the Minister of Housing (Ms. Hošek) from Hansard on November 16, 1987, as follows, "The Thom commission report is actually in the process of being translated, and when it is, it will be released."

The honourable member then asked that the House refer this question to the standing committee on the Legislative Assembly to determine whether the minister intentionally or inadvertently lied to the House.

In examining these facts, I have undertaken to determine whether or not they constitute a *prima facie* case of privilege because that is the only way in which the door can be opened to a motion being put that could send this matter to a standing committee.

During comments on this question of privilege, the Minister of Housing had this to say: "My understanding is that the document was translated. Then it went out for proofreading, which took a long time because it is a long document, and when it came back—this whole process was finished at the end of December—then it was printed and was ready to be released in January."

It would appear to me what the House is faced with here is an example of what Beauchesne refers to as "a dispute arising between two members as to allegations of facts." Beauchesne's fifth edition, page 12, makes it very clear that this "does not fulfil the conditions of parliamentary privilege."

Furthermore, my opinion is reinforced by the very words I quoted previously from the Minister of Housing.

It is a well-accepted idiom of our parliamentary tradition and practice that honourable members and the House have an obligation to accept the word of another honourable member. I must therefore declare that I cannot, in this case, find that a *prima facie* case of privilege exists and therefore no motion can be put to the House to have this matter referred to the standing committee on the Legislative Assembly.

I thank the honourable member for bringing this matter to the attention of the House.

Interjections.

**Mr. Speaker:** Order. I would advise the members of the House that the ruling has been made. They are aware of the rules of the proceedings in this House. A Speaker can

certainly be challenged. However, there is no debate on the matter.

**Mr. Harris:** On a point of privilege, Mr. Speaker: I wonder if you could tell me if, in your opinion, there is anything stopping the standing committee on the Legislative Assembly from asking for an investigation into this matter?

**Mr. Speaker:** I do not believe that is a point of privilege; it is a question. To my knowledge, any matters that go before any committee of this House must be given at the direction of this House.

**Mr. Harris:** Are you saying, Mr. Speaker, that the Legislative Assembly committee—I think it is a well-established practice that any matter can be taken to that committee. Are you saying that is not the case?

**Mr. Speaker:** Order. You have heard my comment on your question.

**Mr. Harris:** Mr. Speaker, that has not been the case of parliamentary practice over a long period of time. Could I ask you to reflect on that before you make a final decision?

**Mr. Speaker:** I believe the honourable member heard my comment in that regard.

**Mr. Harris:** Mr. Speaker, I challenge your ruling.

**Mr. Speaker:** Order. I have no other choice but to ask the House, shall the ruling of the Speaker be upheld?

1418

The House divided on the Speaker's ruling, which was sustained on the following vote:

#### Ayes

Adams, Beer, Bradley, Brown, Callahan, Campbell, Caplan, Carrothers, Chiarelli, Collins, Conway, Cooke, D. R., Cordiano, Curling, Daigeler, Dietsch, Eakins, Elliot, Elston, Faubert, Fawcett, Ferraro, Fontaine, Furlong, Grandmaitre, Hart, Henderson, Hošek, Kerrio, LeBourdais, Lipsett, Lupusella;

MacDonald, Mahoney, Mancini, Matrondola, McClelland, McGuigan, McGuinty, McLeod, Miller, Morin, Neumann, Nicholas, Nixon, J. B., Nixon, R. F., Offer, O'Neill, Y., Owen, Patten, Pelissero, Peterson, Phillips, G., Poirier, Poole, Ramsay, Ray, M. C., Reycraft, Roberts, Ruprecht, Smith, D. W., Smith, E. J., Sorbara, Sullivan, Sweeney, Tatham, Velshi, Wilson, Wong, Wrye.

#### Nays

Allen, Brandt, Breaugh, Bryden, Cooke, D. S., Cousens, Cunningham, Eves, Grier,



Hampton, Harris, Jackson, Johnston, R. F., Laughren, Mackenzie, McCague, Morin-Strom, Philip, E., Pollock, Pouliot, Reville, Runciman, Sterling, Swart, Villeneuve, Wildman.

Ayes 70; nays 26.

## STATEMENTS BY THE MINISTRY

### HEART AND CIRCULATORY DISEASES

**Hon. Mrs. Caplan:** Heart disease and stroke are the number one killers of Canadians. In Ontario, 40 per cent of all deaths in 1986 were due to heart and circulatory disease. What is more, this group of diseases is a major cause of premature disability; it disrupts lives and sidelines productive individuals.

We know, however, that these conditions are often largely preventable. Lifestyle choices, including smoking, poor diet and lack of exercise, can be major contributors. Worldwide research has shown conclusively that reducing known lifestyle risks significantly reduces the risk of death or disability due to heart and circulatory disease.

In keeping with my ministry's objective to balance treatment programs with programs in health promotion and disease prevention, I am today announcing a major expansion of our province-wide prevention and treatment program for heart and circulatory diseases.

New funding for the enhanced program totals \$18 million and encompasses new initiatives and expanded services. Included are a new \$1-million heart health promotion program for community-based prevention and education programs; the appointment of a cardiovascular co-ordinator within the ministry to oversee all programs for heart and circulatory disease; a central registry pilot project for patients requiring heart surgery, and a major expansion of facilities for heart surgery.

The \$1 million in new funding for health promotion is in addition to the \$1.5-million, three-year healthy lifestyles media campaign we are launching this fall, aimed at reducing smoking and alcohol consumption and increasing nutrition awareness. Recently, I also announced the first health promotion grants in a \$1-million program for community-based prevention projects.

The central registry will be established initially in Toronto as a pilot project, with a view to expanding across the province at a later date. As the ministry shifts its focus from being chiefly a funder of treatment programs to planning based on health outcomes, the data collected by the registry will therefore be used in measuring the

effect of cardiovascular surgery on the overall health status of Ontarians.

I am also announcing the expansion of heart and circulatory care facilities in Toronto, Ottawa and London.

In Toronto, the three heart surgery units will increase their collective cardiac surgery case load by 400 cases per year to 3,100 almost immediately. Plans for a fourth unit at Sunnybrook Medical Centre will be accelerated. We expect it to be in operation by the end of the year. Initially, the new Sunnybrook unit will handle 300 cases per year.

In Ottawa, the Heart Institute at Ottawa Civic Hospital will receive a base funding increase of \$2.9 million to expand its service capacity, including its artificial heart program.

Victoria Hospital and the University Hospital in London will receive one-time grants and increased operating funds totalling \$976,000 to expand their heart diagnostic and treatment services.

As I announced previously, services in other centres are already being expanded. Sudbury Memorial Hospital is increasing its heart surgery case load from 300 to 400 patients per year.

In Hamilton, the \$80-million redevelopment of Hamilton Civic Hospitals at the Hamilton General site will allow the hospital to increase its cardiac surgery above the level of 500 cases per year.

The initiatives announced today will greatly expand our ability to care for individuals with heart disease and related conditions. We must remember, however, that the answer to premature death and disability caused by these diseases lies largely in developing prevention techniques and programs as well as treatments.

My ministry is therefore committed to renewing the emphasis in Ontario health care on disease prevention and health promotion. This is the direction in which we expect to achieve real measurable gains in the future.

**Mr. Morin-Strom:** On a point of privilege, Mr. Speaker: The Minister of Health today has not made a statement of clarification in regard to an announcement she made two days ago in this House on renal dialysis services going to the province, in which she announced that \$984,000 in annual operating funds to expand a haemodialysis program at Plummer Memorial Public Hospital in Sault Ste. Marie was to take place.

Since that time in the last few days, her officials have told the hospital officials and others in Sault Ste. Marie that that hospital is



only receiving \$595,000. I would ask whether the minister will correct her record or—

**Mr. Speaker:** Order. I listened to the member's point. I would suggest you place that during question period.

**Mr. Morin-Strom:** Again?

**Mr. Speaker:** Again.

1430

#### NORTHERN TREATMENT CENTRE

**Hon. Mr. Ramsay:** I am pleased to announce today developments in the creation of the Ministry of Correctional Services' network of regional treatment facilities.

Just less than one year ago, this ministry acknowledged the treatment needs of offenders from northern Ontario by announcing that a 96-bed assessment and treatment institution would be built in Sault Ste. Marie. At that time, we had worked out an agreement in principle with the Solicitor General of Canada to share on a 50-50 basis the costs of building and operating a treatment centre for inmates who could benefit from the various therapeutic programs designed to deal with the many problems which may very well be contributing to their conflict with the law.

I am very pleased to report today that the plans that were put forth a year ago are coming to pass in Sault Ste. Marie. Tomorrow, I will be joining the Solicitor General of Canada, the Honourable James Kelleher, to sign a federal-provincial agreement which will enable the northern treatment centre to begin.

At the same time, we will be taking part in a sod-turning ceremony to officially mark the beginning of the development of the new centre on a 14-acre site adjacent to the F. J. Davey Home and the Extendicare nursing home on Great Northern Road in Sault Ste. Marie.

The northern treatment centre will be built and operated as a provincial facility. The construction will be supervised by the Ministry of Government Services, under the direction of my colleague the Minister of Government Services (Mr. Patten). In exchange for the federal funding, the Ministry of Correctional Services will provide up to 48 beds for federal offenders in need of treatment services.

Specific programs to be offered at the centre will include substance-abuse counselling, anger management therapy, individual and group counselling, intervention for depression and anxiety, as well as programs for intellectually and developmentally handicapped individuals. Services will be available to women as well as men.

The northern treatment centre will be of particular benefit to offenders from northern Ontario who might otherwise have to be transported great distances from their homes to centres in southern Ontario.

It will also be of benefit to Sault Ste. Marie. In the short term, it will bring the positive impact of a major construction initiative, with all the attendant economic spinoff. Over the long term, it will bring added stability to the economy of the region, with the creation of 105 new jobs in the fields of psychology, social work, psychiatry, nursing, administration and correctional supervision.

Total cost of the northern treatment centre, including land cost, construction, architectural and engineering, fees and landscaping will be in excess of \$13 million. The annual operating cost of this facility will be nearly \$6 million.

The Ministry of Correctional Services is pleased to have the opportunity to participate in the government's northern initiatives. The development of the northern treatment centre represents a recognition of the needs of northern communities.

#### NORTHERN ONTARIO

#### LE NORD DE L'ONTARIO

**Hon. Mr. Fontaine:** I take great pleasure today in announcing that the government has redefined northern Ontario to include all of the 10 territorial districts for the purposes of government policy and program administration. This will give official recognition to all residents of the Parry Sound district and the Nipissing district as bona fide constituents of that special area of the province we call northern Ontario.

L'agenda de mon gouvernement pour le Nord de l'Ontario, c'est précisément l'agenda établi par les habitants du Nord de l'Ontario. C'est dans cette optique qu'il y a deux ans, nous avons initié une consultation avec les Conseils de développement du Nord, la Fédération des municipalités du Nord de l'Ontario et les différents intervenants du milieu dans le but de procéder à l'intégration complète des citoyens de Parry Sound et du territoire de Nipissing dans le Nord de l'Ontario.

The government has an agenda for northern Ontario, that being the agenda of the people of northern Ontario. Two years ago, we initiated a consultation process with a view to integrating the populations of the district of Parry Sound and the Nipissing district as fully fledged residents of northern Ontario. This should have been done 10 years ago. This consultation was made in collaboration with the northern development



councils, the Federation of Northern Ontario Municipalities and different interested parties. The result of this consultation is the redefinition of northern Ontario which will take effect on April 1, 1989.

The Ministry of Northern Development and Mines was created in recognition of the special social and economic needs of the region known as northern Ontario. We acknowledge that the people of Parry Sound and Nipissing indeed share those special needs and that they deserve access to the special government programs established to address them.

Official inclusion in northern Ontario will give individuals, institutions and organizations access to specific programs oriented to northern needs. For the people of Parry Sound and Nipissing, particularly those living south of Algonquin Park and the French River, this means being treated in a consistent fashion with other northern districts by all government ministries.

Je suis convaincu que les membres de cette Chambre, ainsi que les résidents des territoires de Parry Sound et de Nipissing, accueilleront chaleureusement cette initiative de mon gouvernement.

I believe that the members of the Legislature and the residents of Parry Sound and Nipissing will wholeheartedly welcome this initiative.

#### APARTMENT BUILDING INCINERATORS

**Hon. Mr. Bradley:** I am pleased to inform the House that a regulation prohibiting the operation of Ontario's 1,200 existing apartment building incinerators will go into effect May 31, 1989.

Our government has decided to impose this ban to protect public health and the environment from dangerous and unacceptable air pollution produced by these inefficient incinerators. The ban addresses complaints about black smoke, fly ash and odours given off by these old-fashioned incinerators.

Few apartment building incinerators have been constructed since the mid-1960s because of municipal bylaws and municipal agreements with developers and builders. Consequently, most incinerators operating today are outdated and inefficient.

In 1986, my ministry tested 11 apartment incinerators. The tests found that emissions of total hydrocarbons, including dioxins and furans, exceeded in all 11 cases the standards specified in regulation 308 under the Environmental Protection Act. Combustion efficiency was also unacceptable.

A draft of the new regulation prohibiting apartment incinerators was submitted for a public review last year; 51 written responses were received. Support for the proposed regulation outnumbered opposition four and a half to one.

The concerns of landlords needing to install compactors or storage facilities were recognized by extending the date of implementation from December 31, 1988, to May 31, 1989. The regulation will be promulgated within a few weeks, but I am making the announcement today to give landlords as much notice as possible.

About half of the approximately 1,200 apartment buildings affected are in Metro Toronto.

Switching from incineration to garbage compaction or bulk storage should be a fairly straightforward process. About 2,000 apartment buildings have made the change during the past 18 years.

This regulation will both reduce potentially adverse health effects from exposure to persistent toxic chemicals generated by these incinerators and improve air quality, especially in densely populated urban centres such as Metropolitan Toronto.

The elimination of this source of air pollution is a step in improving our general quality of life in Ontario.

#### MUNICIPAL ENUMERATION

##### L'ENUMERATION MUNICIPALE

**Hon. Mr. Grandmaître:** The honourable members will be aware that the Ministry of Revenue mailed over 4.6 million bilingual municipal enumeration notices to Ontario households at the end of April.

I am very pleased to report that this enumeration was extremely successful, as over 75 per cent of Ontario residents completed and returned the notices on time.

Monsieur le Président, aujourd'hui, c'est avec plaisir que je vous informe que cette opération a eu un très grand succès: plus de 75 pour cent des formulaires de recensement ont déjà été remplis et retournés à mon ministère.

I would like to thank all the members of this House for their great efforts in providing assistance to their constituents and supporting this project. Through their co-operation and the co-ordination of my ministry, the ministries of Municipal Affairs, Education, and Citizenship and the Office of Francophone Affairs, we have helped to ensure that eligible voters are correctly identified on the voters' list for the Ontario municipal elections in November.



On June 1, 1988, enumerators began personal visits to those households which did not return their enumeration notice, and where no one is home, they will be leaving a copy of the original form.

Le 1<sup>er</sup> juin, les énumérateurs provinciaux ont commencé à visiter les ménages qui n'ont pas encore retourné leur formulaire de recensement. Je vous précise que dans les régions désignées, nous aurons des énumérateurs bilingues disponibles pour aider à remplir les formulaires.

Again, I call on the assistance of the honourable members in encouraging these residents to check and return their enumeration forms to my ministry as soon as possible. Anyone requiring assistance in completing the form can contact his local regional assessment office.

By the end of August, voter identification notices will be mailed, noting all eligible voters and indicating their school board support.

Les avis aux électeurs seront postés à chaque ménage à la fin du mois d'août de cette année.

I am confident that the success of this new enumeration system will lay a solid foundation for municipal elections in the fall and stronger local governments across Ontario.

1440

**Ms. Bryden:** On a point of order, Mr. Speaker: I do not have a copy of the minister's statement, and I am the Revenue critic.

**Mr. D. S. Cooke:** We have it here.

**Mr. Speaker:** It has been delivered? Thank you.

## RESPONSES

### HEART AND CIRCULATORY DISEASES

**Mr. Reville:** It is with some regret that I rise to respond to the statement of the Minister of Health (Mrs. Caplan). It is not very often that the opposition gets a chance to crow under the weight of this government. Of course, the Minister of Health has just gone to Sweden. I am glad she has gone to Sweden; she is going to look at their health care system there.

Day after day in this Legislature, this opposition, this side of the House, has badgered the government about its failures in terms of cardiovascular surgery. The minister, in the context of hospitals in trouble, in the context of refusing to release 20-odd operational reviews, makes dribbling announcements about this program and that program—a program on renal dialysis earlier this week; another program, a laudable program, on heart and circulatory disease today—without telling us what the gov-

ernment's plans are overall for the health care system. These spending announcements are one-sided.

While we welcome, of course, the increasing emphasis on the prevention of heart and circulatory diseases and we note and agree that lifestyle choices including smoking, poor diet and lack of exercise are indeed major contributors, I think it is shocking for one minister to get up in the House and talk about poor diet and to hear absolute silence on the part of other ministers of this government in respect of thousands of children living in poverty in the province because the government has refused to act to provide people with the wherewithal so that they can have a decent diet.

I really hope the Minister of Health has a chance, while sitting around the cabinet table, to make this point over and over again.

### APARTMENT BUILDING INCINERATORS

**Mrs. Grier:** It is profoundly disappointing that the Minister of the Environment (Mr. Bradley) has extended the deadline by which apartment incinerators have to conform to his new regulation.

May I point out to the minister that very many apartment owners have conformed with the anticipated date of December 31, 1988. I really regret that he has bowed to the lobbying of the landlords, presumably, and extended it to May 31, 1989.

As he said himself, most of the apartment buildings which still have incinerators are outdated and inefficient and were built in the 1960s. Many of them ought to have been shut down ages ago if he was really enforcing his existing air pollution regulations.

This is just the latest in a series of deadlines which have not been met. Regulation 308 itself was supposed to have been in place and approved by now and we have not seen a single regulation under the municipal-industrial strategy for abatement. This is yet another example of backsliding on the environment on the part of this government.

### NORTHERN ONTARIO

**Mr. Laughren:** I rise to welcome Parry Sound to near-northern Ontario and commend the member for Parry Sound (Mr. Eves) for all the work he has done in making this happen.

I did want to point out an omission in the minister's statement, however. The minister forgot to include in his statement that there would be an increase in the northern Ontario heritage

fund now that the amount in there is going to have to be spread over more ridings. I think the minister should rise in his place and correct that omission.

#### MUNICIPAL ENUMERATION

**Ms. Bryden:** I would like to point out that I do not think the Minister of Revenue (Mr. Grandmaître) can crow about the success of his assessment program while there are still 25 per cent of households not in. That is the crucial group, and we have to see whether they send them in.

The other thing is that he says he will mail out by the end of August voter-identification notices noting all eligible voters. What I would like to know is, will individual notices go to each member of the household or will there just be one notice that the other person has to transmit to all members of the household? They may never communicate with each other. I think there should be individual notices.

I do not think we can say that the system is 100 per cent effective until we see how it works out in the final voters' lists and the completeness of those voters' lists when they are prepared, and whether people are put in the correct categories as far as public and separate support, francophone voting and other matters of that nature are concerned.

**Mr. Speaker:** The member's time has expired.

#### NORTHERN ONTARIO

**Mr. Eves:** It is indeed with some pleasure that I am able to rise today and compliment the Minister of Northern Development (Mr. Fontaine) on his announcement in the House today.

I indeed know something of the efforts that the minister has had to make on behalf of the residents of Parry Sound and Nipissing. I know it has been difficult at times to convince his cabinet colleagues that this measure should be taken, but I am glad that it has in fact been taken at long last. There are many individuals who receive recognition in this ongoing battle. It has been going on for some period of time. Indeed, I am pleased to see today, finally, that on April 1, 1989, the district of Parry Sound will be included in northern Ontario for the purposes of all government ministries, boards, agencies and commissions.

As I said, I congratulate the minister on his sincerity and on the amount of effort that he has given to this very worthwhile enterprise. In fact,

I think justice has indeed been done today with respect to this announcement.

#### HEART AND CIRCULATORY DISEASES

**Mr. Eves:** With respect to the announcement by the Minister of Health (Mrs. Caplan) in the Legislature this afternoon, I am pleased to say that I am happy that she has taken the initiative to increase the cardiovascular surgery capacity of virtually every cardiovascular unit in Ontario. It did take, however, some prompting by many opposition members to bring the matter to the attention of the minister over a period of several weeks and to finally get her to act on this very important matter.

We all know that nobody likes to face the reality that there was some four months' average waiting time for patients on the list for cardiovascular surgery in Ontario and that many people have lost their lives on the waiting list for this very important surgical procedure. I would also like to compliment the many cardiovascular surgeons who had the courage of their convictions to raise this matter to the public's attention and to finally get some action out of the Ministry of Health that is much needed.

I would hope that the minister is thinking, when she is making her announcement, that she is also going to increase the staffing capacity, especially nursing staff, who are highly specialized in this particular area, and include that in her announcement—not only in her announcement but in the increased funding and capacity that she is giving to the hospitals as well. I indeed think it is a very worthwhile announcement and I am sure it is one that in the weeks and months ahead will save many people's lives in Ontario.

**Mr. Sterling:** While we are pleased with the Minister of Health's announcement today with regard to these improved services for heart patients, I am chagrined to hear again the Minister of Health talk about preventive health care measures. We would not have had to spend this money had this government taken any kind of steps with regard to the habit of smoking.

This particular government has done nothing to help people who are addicted to nicotine to get off that habit. It has cut back on the public education program with regard to smoking, and it has stood by while a courageous federal government has taken a number of steps to deal with the problem of smoking in the workplace and advertising of tobacco products.

Most heart disease is caused as a result of smoking. The largest killer, in terms of the results of nicotine addiction, results in heart



disease. While this government has added money to take care of this problem, perhaps some of this money would not have been needed if it had been courageous and done something with regard to the real cause.

1450

#### NORTHERN ONTARIO

**Mr. Harris:** I want to take the few seconds available to congratulate the member for Parry Sound (Mr. Eves). He has had an unending fight for the last 10 years to include Parry Sound in northern Ontario. For the first seven years, he was able to achieve seven ministries—

Interjections.

**Mr. Speaker:** Order.

**Mr. Harris:** —then for three years nothing happened and now, finally, he has all of Parry Sound included in northern Ontario.

**Mr. Speaker:** The member's time has expired.

#### ORAL QUESTIONS

##### COMMUNITY HEALTH SERVICES

**Mr. Reville:** In view of the absence of the Minister of Health (Mrs. Caplan), I would like to ask a question of the Premier, perhaps in his capacity as chair of the Premier's Council on Health Strategy. The question is about community health centres. I wonder when the Premier is going to bring his government into some kind of congruence in terms of the rhetoric and the performance about community health centres.

When will we see the actual funding and organizational assistance that is needed to expand this very real alternative to open-ended, fee-for-service systems of medicine?

**Hon. Mr. Peterson:** We are working on a number of matters right now and I am sorry I do not have any new information to share with my honourable friend today.

**Mr. Reville:** I regret to hear that answer. Two weeks ago, the parliamentary assistant to the Minister of Health was in Sault Ste. Marie speaking to the Association of Ontario Health Centres. He also delivered a kind of mixed message, not dissimilar from the message the Premier has just shared with the House. He said, "Health promotion is certain to be the wave of the future," and that CHCs and health service organizations will have a key role in its delivery. I think what we need to know now is: why the future, why not now?

The growth in the community health centre and HSO sector of the health service delivery

mechanism has been very tiny. For every dollar the government spends on health, only one third of a cent is spent on community health centres and HSOs. Can the Premier give us any idea of when this government is going to get serious about establishing real alternatives to a health system which is going out of control in terms of cost?

**Hon. Mr. Peterson:** I appreciate what the honourable member is saying. There are a number of proposals being worked on at the present time. The minister brought in legislation last week for a regulatory framework for this new approach. I accept that the honourable member wants to accuse the government of not moving quickly enough on this matter, but I think the minister has articulated the philosophy of the government in that regard.

I am just sorry, as I said, that I cannot give him a specific announcement today of a specific program.

**Mr. Reville:** From the Premier's own lips this summer came a goal which the government wanted to set for itself. That was that within five years the government wanted to double the number of people served by community health centres and HSOs. Let me explain to the House what that means. That would bring the number of people served from two per cent of our population to four per cent of our population over five years.

Will the Premier now make a renewed commitment to revise this goal upward? "The wave of the future"—at the moment, the government is developing barely a ripple. Will the Premier actually increase the commitment today?

**Hon. Mr. Peterson:** I know my honourable friend, understanding government as he does, would not expect me to make an announcement today just in response to his question. Maybe he would; perhaps I gave him credit for more understanding than he had of the way the government works.

I say that we have articulated our view. A substantial number of commitments have been made in community-based medicine—that is a major priority—and independent living for seniors. I could go through a long list of initiatives this government has undertaken.

**Mr. Reville:** That doesn't amount to a hill of beans.

**Hon. Mr. Peterson:** My friend is not too impressed with 100 per cent increases, and I understand that, but I remember that sometimes

you can take solace from doubling your performance or doubling your sights. I remember when I was the leader of Her Majesty's loyal opposition, I went to make a speech to a group one night and there were two people there. I went back a year later and there were four people there, and I considered that a major improvement. I think the member should perhaps consider it the same way.

#### AFFORDABLE HOUSING

**Mr. Breaugh:** I have a question for the Premier. Yesterday he appeared to be quite content that the price for houses in Metro had gone up \$9,000 in a month. He did not seem at all disturbed that you had to have an income of \$80,000 to qualify for a mortgage, or bothered in the least that 97 per cent of the tenants in this community could not qualify for a mortgage to purchase a house in Metro.

Is the view from a mansion in Rosedale so different that he does not even understand the needs of all of these people?

**Hon. Mr. Peterson:** I think we do understand the needs and that is why we have the massive programs we are undertaking at the present time.

**Mr. Breaugh:** Does the Premier not understand that all this speculation in real estate, both in single-family homes and in apartment buildings, is ruining whatever attempts he might be making to provide affordable housing; that the nonaction on the part of the government to introduce a land speculation tax or to provide some assistance so that people can actually afford to buy their own homes is destroying any attempts that his government might consider to provide affordable housing?

**Hon. Mr. Peterson:** The member's solution to the problem is a land speculation tax, and we have shared with him before that is not our solution.

**Mr. Breaugh:** It is amazing that the Premier of Ontario has no concern at all.

Is it the view of the government that the city of Toronto and Metro are now going to become the exclusive domain of those who earn in excess of \$80,000 a year, which essentially would be the double-income, no-kids syndrome? Are they consciously trying to turn Metro Toronto into something it has fought for so long? It has fought to retain its own neighbourhoods; it has fought to retain a sense of community and a good mixture of income groups. Why is the Premier determined to turn it into some kind of dink city?

**Hon. Mr. Peterson:** Usually, I very much enjoy my friend opposite and he makes worth-

while and fair-minded contributions in this House. I frankly reject the premises on which he has based his comments and I do not think his characterization of the problem is at all fair.

**Mr. Speaker:** New question, the member for Sarnia (Mr. Brandt).

[Applause]

**Mr. Brandt:** Thank you, Mr. Speaker. I am not sure whether that applause is for me or for the last response, but I deeply appreciate the applause. Thank you.

[Applause]

Interjections.

**Mr. Speaker:** Order. New question, the member for Sarnia; and to which minister?

#### CIVIL SERVANTS' CONFLICT OF INTEREST

**Mr. Brandt:** My question is to the Premier and it is with respect to conflict-of-interest guidelines. Could the Premier share with the House what the intentions of his government are in connection with extending the guidelines to cover senior public servants and also senior staff members of ministers?

**Hon. Mr. Peterson:** I can tell my honourable friend that we do not have a conclusion I can report to him today in that regard. It is something that we have wrestled with in the past. I am sure my honourable friend would understand the difficulty that confronts the government, and indeed all members of the Legislature, in that regard.

Obviously, starting off, we cannot support any situation where someone takes advantage of a position here to further personal interest or some corporate interest. One could look at a reasonable cooling-off period in that time.

On the other hand, my honourable friend, I am sure, would agree with me that there is a real merit in having people from private enterprise come into government, in and out of government, to encourage that transference back and forth.

The other question that had to be raised was how far down the system it should go. Should it be deputy ministers? Why not assistant deputy ministers? Why not directors? Why not people who handle the files? Should everybody in the public service be included, and political assistants, as my honourable friend speaks about, as well?

His question raises many other questions. I can tell him our bottom line is very clear and we cannot support any system where anybody takes



advantage of his position in government to further his own financial interests. But I do not have a specific answer for my friend today.

**1500**

**Mr. Brandt:** As the Premier is aware, there are guidelines that could be used as a model for his government which exist at the moment at the federal level. They have a 12-month cooling-off period at the federal level with respect to senior staff. I would point out to the members opposite and to the Premier that our party proposed amendments that would provide additional coverage of the type we would certainly support with respect to senior public servants.

My colleague the member for Leeds-Grenville (Mr. Runciman) proposed a resolution before this House that led to exactly the same conclusion, that the guidelines as they are established now are far too weak and are not nearly as comprehensive as we feel are necessary. I share with the Premier the concern he has about the line to be drawn and at what point that line should be drawn. How deep into the civil service does one go?

In introducing this question today, I have suggested that there should be guidelines that are applicable to senior civil servants and senior ministry staff. Will the government consider such guidelines?

**Hon. Mr. Peterson:** Let me simply say I view the honourable member's suggestion as a constructive one. As the member knows, his government and our government traditionally have viewed public servants as honourable people who would not take advantage of the situation. He is also aware that a number of deputies have left over the last few years and it is a constant state of transition. But I think, inside the context of the questions I raised, it is a very worthwhile subject for discussion and I do not by any means reject action in this area. I am interested in his ideas on it and on whom should be included. What about political assistants of members of Parliament?

There are a lot of questions that should be raised. And how far should this thing go down the system? I think that is a serious matter, worthy of discussion by all members of this House. I appreciate the member's constructive ideas.

**Mr. Brandt:** I would like to provide some constructive ideas and I would suggest to the Premier that the Attorney General (Mr. Scott) did not give any indication whatever that he was prepared to bring in amendments that would

provide coverage in the areas that concern our party.

**Hon. Mr. Scott:** You never asked for them.

**Mr. Brandt:** We have asked the Attorney General in committee, since he wants an answer to his question. I would also suggest that his party has consistently voted against the extension of guidelines that would provide the kind of coverage that we are looking for and the kind of guarantees, quite frankly, that we feel the public of Ontario warrants, at this time.

I would like to ask the Premier, since we cannot get a clear-cut answer from him today with respect to a time frame in which he will bring in certain guidelines, when can we expect that the legislation that he has proposed, relative to his own ministers will be firmly in place in this province?

**Hon. Mr. Peterson:** With respect to the member's second question, as he knows, a nominee has been submitted to him and to the Leader of the Opposition (Mr. B. Rae) with respect to that particular position.

We would like to have his support on that matter, and once that is achieved, then the bill will be proclaimed and the commissioner appointed. That is where we are on that matter.

#### REGULATION OF BOILERS

**Mr. Runciman:** My question is for the Minister of Consumer and Commercial Relations. I am assuming he will be familiar with the Miura Boiler Co. of Japan. I gather he has been approached by the member for York North (Mr. Beer) and, also, there have been some press reports on this issue.

I wonder if the minister could advise the House why he rejected his advisory board's recommendations and allowed the Miura boiler entry to the Ontario market.

**Hon. Mr. Wrye:** I think it would be useful for the honourable member to know that the recommendations from the board of review, which were sent to me in late November or early December 1987, were not to reject Miura boiler, but simply to ask that we not make a piecemeal amendment to the regulations and wait until the entire Operating Engineers Act was ready for full amendment and for full introduction in the Legislature.

That certainly would have been normally, I say to my honourable friend, my own view of the situation. But in the case of Miura, I was faced with the situation that the company, which was prepared to establish a facility in Brantford, was



not prepared to do so until such time as it literally had the regulation in place.

The board had no objection to the regulation. It simply wants to get on with the whole matter, both the amendments to the act and the regulatory changes as a package. I informed Mr. Cullain and the members of the board of review of our view that we would have to move with this as an individual change, notwithstanding their views, and the appropriate regulatory changes were introduced as a result.

**Mr. Runciman:** The minister raises the question of the report and I would like to quote from it. It says, "The proposed amendment by Miura would be perceived publicly as a special dispensation for a foreign competitor."

Some time ago, two of the minister's officials went to Japan to inspect the boiler made by Miura to see if that design should be permitted in Ontario. Their expenses were paid by Miura. The company also paid for the expenses of the wife of one of the officials. On the recommendation of these officials and contrary to the unanimous advice of the ministry's board of review, the minister changed the regulations and approved the design.

One of the officials doing this inspection was prepared to accept a substantial personal benefit from the company he was inspecting, and this destroys any appearance of objectivity. Is the minister prepared to order a new, clearly independent evaluation of this boiler and make the results public?

**Hon. Mr. Wrye:** In reviewing this situation, I became aware earlier this spring that the cost of the trip to Japan for the wife of the then director, now retired, of the branch had been paid by Miura. The honourable member would know that the payments for the staff are normally made by those companies which wish to be licensed for Ontario rather than the taxpayers. A similar kind of situation is practised in other countries until there is some kind of a reciprocal arrangement set up with those countries, and we are attempting to do that.

On learning of the fact that the cost of the trip of Mr. Wright's wife had been paid by Miura, since the gentleman had already retired I requested that my officials get in touch with Mr. Wright and ask him, since I had no power any longer to order him, to repay the money. He has done so. I very much regret that the gentleman accepted an unfortunate gratuity, if I can call it that, from the company, and he has recognized the error in making the repayment.

However, I can tell the honourable member that certainly this boiler is safe. The board of review, as recently as this Wednesday—indeed, two weeks before, when it met with me personally all members said the Miura boiler is safe.

**Mr. Runciman:** It is an irrelevant answer, really, and the incident is a serious blow to the ministry's credibility on technical assessments. We must have a set of public guidelines which will clearly demonstrate total objectivity by the ministry and avoid this kind of situation in the future.

Does the minister have any guidelines on who is to pay for technical assessments and how the appearance of favouritism and conflict of interest is to be avoided. If he does, will he table them in the House?

**Hon. Mr. Wrye:** I want to say to my honourable friend—and he may disagree and, if so, he may want to state that—in the past, for a very long period of time, in Ontario and other jurisdictions in Canada and across the world, it has been the approach in this field that the company involved in such evaluations will pay the cost of having the evaluations done and will pay and reimburse the individual for proper expenses which are accounted for. This is a situation which I find most regrettable and I make it very clear that I understand the honourable member's suggesting that it raises into question the objectivity of the decision.

I have asked the board of review very clearly to review this matter. I want to assure the honourable member that at a meeting which all members of the board of review, save one, attended in my boardroom about three weeks ago, all of them said that in their technical judgement as experts, which neither he is nor I am, the boiler is safe.

I say to my friend that he should read the entire memo which asks only that the changes proceed—

**Mr. Speaker:** Order. That is a fairly comprehensive answer.

1510

#### NIAGARA COLLEGE OF APPLIED ARTS AND TECHNOLOGY

**Mr. Swart:** My question is to the Minister of Colleges and Universities. I am sure she will be aware that tonight the Niagara College board will be making its final decision on what programs it is going to cut, to be submitted to her ministry next Tuesday for the minister's consideration. She also knows that should have been done a couple of months ago because the students there



had to make a lot of decisions and many of those decisions have already been made.

I want to remind the minister that last week in answer to my leader's question as to whether correct procedures had been followed, she said, and I quote from Hansard, "I can certainly assure the member that the college has complied with all the requirements of the ministry." I want to ask the minister today if she would like to think over that answer a little bit.

Is it not true that the college did not notify the ministry of its proposal to phase out the seven particular programs until at least five weeks and possibly nine weeks after the January 15 deadline set by her ministry?

**Hon. Mrs. McLeod:** I indicated in the House last week that Niagara College had followed all the procedures that we require of the colleges; in fact, it had been very conscientious about keeping the ministry informed.

I believe the honourable member when he refers to that specific date may be talking about a memorandum that was issued—I do not have it in front of me, but I think the date is somewhere around 1982 or 1983—by the Council of Regents, an advisory suggestion on the part of the council as to a procedure which might be followed.

If I have the correct memorandum he is referring to, it will also suggest that even with that as a procedure which is recommended—it is clearly not a ministry directive—there are also exceptions to be recognized when particular planning processes are required. If that is the specific direction he is referring to, it does not replace the procedures which the ministry requires. I repeat that Niagara College has followed those procedures.

**Mr. Swart:** In prefacing my supplementary, I want to remind the minister that the memorandum entitled, Policies on Suspending or Phasing Out Council of Regents' Approved Programs, was sent out by the ministry. It says each college shall advise the director of the college affairs branch annually by January 15 of approved programs under consideration for possible suspension or phasing out for the next academic year. That is what that memorandum says.

The minister ought to realize how silly her program is. Just six days ago, the minister announced \$40,000 more for a bilingual secretary program at Niagara College, but because of her timing bungling, she has only two or three viable applicants left for that program at Niagara College, and other programs too may for all practical purposes have gone down the drain by this time.

Why does the minister not simply notify Niagara College today, given the chaos that exists there on the program cuts, that she will fund all the remaining viable programs out of the original seven and, if any more cuts have to be made, do it next year and do it right?

**Hon. Mrs. McLeod:** As the honourable member is well aware and as I have had on a number of occasions to indicate to the House, the Niagara College board of governors is coping with a situation which has now existed and been increasing for some four years. The Niagara College board of governors recognizes the importance of addressing this issue. They have been following procedures.

I indicated some of the aspects of that memorandum which the honourable member did not identify. There is also an indication there that when students are granted admission to a program, that admission is recognized as being conditional on the college being able to continue to make that program available.

Clearly, that does present problems for students who are interested in these programs, but the Niagara College board of governors has been following the procedures and has followed the public declaration. The students are well aware of this. I do support the board of governors, as I have indicated in the past, in dealing with a situation which has been ongoing for some time.

#### RETAIL STORE HOURS

**Mrs. Cunningham:** My question is to the Solicitor General. The minister and her government have neatly packaged the proposed legislation to do with the Retail Business Holidays Act. They have decorated it and painted the slogan "Fair and Enforceable" all over it, but we have yet to see how it could be either fair or enforceable.

For example, in York region on the north side of Steeles Avenue, there are two shopping plazas, and about a half a mile down the road on the south side of Steeles Avenue there is a set of shopping plaza units.

I would like to ask the minister if it is fair that two of these shopping plazas within one region are allowed to open Sundays, while plazas across the street or down the road classified in a different region or municipality are not. Exactly how does she plan to enforce this kind of situation?

**Hon. Mrs. Smith:** I do not have an exact geographic set in my mind as to the place the member for London North is referring to, but I assume it is within regional Metropolitan Toron-



to. Anything that is decided locally within that region will have to be passed on to the regional board for a final decision. It will be up to them to decide, and they will have to decide according to reasonable and fair rules they have set.

**Mrs. Cunningham:** It is crystal clear what is really going to happen with this legislation. We will have a clear mishmash, with municipality pitted against municipality, municipality against region, and even region against region.

There is another issue at stake here with this utterly flawed legislation. In Mississauga, there is currently only one bylaw enforcement officer available on weekends. If Sunday shopping is permitted in surrounding municipalities but not in Mississauga, it may be necessary to institute a bylaw enforcement patrol. An estimated cost would be \$1,400 on Sunday or \$75,000 a year.

Does the minister think this enormous cost is fair to the municipalities of Ontario? How can she claim that this legislation is fair and enforceable when she knows full well it is literally the opposite?

**Hon. Mrs. Smith:** In the first place, if any of these stores are breaking the law—and since we are into discussing bylaw enforcement, I presume that might be the case—then the new injunctive clause in the bill will be very helpful. It states that with an order from the court, which is immediately available, the police authorities can close down a store which is breaking the law, something that is not now possible. As soon as the members give us passage of this bill, that will be possible. That is the first thing.

The second issue, the one of the cost of enforcement by the bylaw officer, has also been looked to. As the member will know, the penalties have been very much increased and, where it is necessary still to use a bylaw enforcement officer, this will be only where the community has changed the provincial framework. Then it would be a bylaw passed by that community allowing it to open or telling it to close. In that case, with any breaking of the law, the money can be collected by that community, which can pay for its own enforcement officers very well.

#### ENVIRONMENTAL ASSESSMENT

**Mr. Pelissero:** My question is to the Minister of the Environment. The Ontario Waste Management Corp. has submitted a draft environmental assessment to the Ministry of the Environment. Can the minister inform us of the current status of that submission?

**Mr. Laughren:** I guess with notice he probably can.

**Hon. Mr. Bradley:** Yes, indeed, in this particular case. It is a very fair-minded and very reasonable question the member has, in answer to the member for Nickel Belt (Mr. Laughren).

The OWMC, as the members of the House may know, submitted a draft environmental assessment in March 1988 for government agencies' comments in accordance with the decision of the government to bring the proposal under the full provisions of the Environmental Assessment Act, which it was not prior to this government taking office.

The ministry is currently doing a careful review of the draft environmental assessment document and is co-ordinating government comments on this document. The OWMC will then have to go through the procedure of submitting a final environmental assessment document.

Due to the significance and the complexity of the proposal, the government review, as the member can imagine, will be an extensive process to ensure that all of the concerns which have been raised are dealt with. This is expected, I think, to take approximately seven months.

1520

Both the government and the environmental assessment document will then go out for public comment and any member of the public is free to comment at that time. The public comment period will be followed by a hearing before the Environmental Assessment Board. So it is rather complex process, a lengthy process, but we think it is very necessary.

**Mr. Speaker:** Probably a supplementary would help to clarify some of the things.

**Mr. Pelissero:** As a supplementary, the environmental assessment process that the OWMC is undergoing is being watched closely by those affected by its proposal. Concerns have been raised that the environmental assessment process can be time-consuming, complex and expensive. What steps are being taken to address this concern?

**Hon. Mr. Bradley:** The member may be aware that some time ago, I think it was in April 1988, I announced that we were undertaking a review of the environmental assessment process to make it more efficient while making it just as effective as it is at the present time. This review is, of course, seeking public comment and will make recommendations to improve both the environmental assessment process and the Environmental Assessment Act.



There are two main areas that we are looking at: the understanding and the acceptance of the environmental assessment, and the effectiveness and efficiency of the environmental assessment process.

I do not think there is anyone in the House or anyone in the province who would wish to diminish in any way the process we go through, but I think people on all sides of this question—both people who think the process takes too long and is too expensive and those who feel it is not comprehensive enough—recognize that it can be more efficient and that there can be savings gained, so that the costs are not incurred by either the proponent or the opponents. It is the desire of this government to ensure that will happen.

Going through the environmental assessment process for the OWMC will be helpful as well in making this kind of assessment and making the improvements that will be necessary in the future.

**Mr. Speaker:** New question, the member for Riverdale.

#### CFTO LABOUR DISPUTE

**Mr. Reville:** Thank you, Mr. Speaker; I just about nodded off there. In view of the absence of the Premier (Mr. Peterson) and the Deputy Premier (Mr. R. F. Nixon), I think I will put my question to the Chairman of Management Board. That is a good idea, is it not?

CFTO is out to bust a union. Why will the government not pull its ads?

**Hon. Mr. Elston:** There has been an indication in an article yesterday that there would be no placement of new ads, but there are certainly contractual obligations which we feel must be honoured in the current circumstances.

**Mr. Reville:** I think the Chairman of Management Board is kidding the troops here. This is a government that can cause instant meetings of very powerful people like mayors; it can summon them to meetings. They can have all-nighters at McDonnell Douglas. They have excruciatingly large clout with anybody they want to have clout with.

These contracts must be in the zillions of dollars. Is the minister really saying that, as an advertiser, he cannot call up Douglas Bassett and say, "I want those ads stopped"? Will he not call CFTO today, stop those ads and tell it that this government is not going to connive at a union-busting act?

**Hon. Mr. Elston:** I think it is fair to say—and I think the honourable gentleman would agree

with this—that in fact this government does not get involved with union-busting activities.

I can tell the honourable gentleman that his characterization of our expenditures as in the zillions of dollars is, as he usually does, making considerable overstatement of the circumstances. I can tell him that I do not think it is fair to make light of a situation by exaggerating to the extent that the honourable gentleman is.

We take this very seriously. We do not want to be involved in looking at any activity that deals with union busting, as he would say this activity would be. We are not placing new ads. That has been made very clear by this government, and I think the honourable gentleman would consider that a fair response under the circumstances.

Interjections.

**Mr. Speaker:** I would like to recognize the member for Markham to ask a question.

#### PROTECTION FOR HOME BUYERS

**Mr. Cousens:** I have a question for the Minister of Consumer and Commercial Relations. It has to do with the problem that a group of home buyers had, starting three years ago when they put in their offer to purchase homes from Caymor Homes. They put in these offers with the expectation of having a new home, and the builder never registered the lots.

Since then, the builder has had trouble with his financing and has now become refinanced, is looking for more money for those homes than he originally sold them for and will not deal with some of the people he originally sold the homes to. They are now caught without a home and caught without an option.

I would like to know what the minister is prepared to do to help those new home buyers who are being caught by this builder?

**Hon. Mr. Wrye:** I think my friend would know that Mr. McLeod has had a number of financing difficulties. But, as of now, he still owns the lots. He is no longer, I would advise the honourable member, registered as a builder. Consequently, someone else would have to build those homes.

In a number of cases—and the honourable member's description is correct—it has been some three years, and it has been a very unfortunate situation. But, in some cases, some of those who had bought homes in the expectation of having them built have gone to the Ontario New Home Warranty Program, have received full refunds of their deposits and have moved on. In a number of other cases, people are still hoping to have the homes built and the Ontario New



Home Warranty Program is attempting to stand ready to help in any way it can to ensure that gets done.

**Mr. Cousens:** The problem we have is that there are still people out there who will not have a home now. The builder will not deal with them. They are caught by virtue of the fact they have had three years' loss of any growth on their investment, and now they are in a position where they are not protected from the incident of the past. There is no one there to help them now.

I am worried about future home buyers because there is nothing now in the provincial legislation or the guidelines that stops builders from selling unregistered lots. There is nothing to stop that practice. There is no stopping unscrupulous builders. This government is not doing anything to stop those builders who are unprincipled and who are allowed to continue to do dealings with these people.

Will the minister come forward with fresh, new legislation that begins to deal with these two major issues, to prevent the selling of unregistered lots and to prevent the continuing existence of unprincipled builders?

**Hon. Mr. Wrye:** These are issues we would want to look at. But I think the honourable member, being as he is also the Housing critic for his party and one who wishes to have affordable housing built just as quickly as possible, would not want to do anything that would slow down that building.

I would want to say to the honourable gentleman that of the two individuals, Mr. McLeod and the other individual—whose name escapes me for the moment—who were involved at the time the registration was given for these houses, Mr. McLeod had experience in financing and the other gentleman had experience as a builder.

Certainly, it was the view of the warranty program at the time that the project was not an onerous one and could be carried out. Regrettably, that has not been the case. It has really been a mess from day one. The honourable member has spoken to me on numerous occasions, as has my colleague the Minister of Transportation (Mr. Fulton), in whose riding the homes are located.

We continue to work with the home owners in an effort to ensure that if anything can be done to get those homes built and get them occupied by those who wish to occupy them, that will occur.

#### PEEL REGIONAL POLICE COMMISSION

**Mr. Mahoney:** My question is to the Solicitor General. The regional council of Peel has passed

a resolution requesting approval to expand the Peel Regional Police Commission to include the regional chairman as an ex officio member in addition to the council's two appointees. I believe her office has been in receipt of a number of pieces of correspondence requesting this.

Further to the recent changes approved in this House for the Metropolitan Toronto Police Commission, would she be prepared to consider expanding the number of members on the Peel Regional Police Commission board, bearing in mind that it is the second-largest police force in the province?

**Hon. Mrs. Smith:** I would like to assure the member that we are very interested in discussing potential changes in the size of police commissions with those involved.

As the member would know, Toronto went to quite a long and extensive process and, finally, we did get a bill through here just before Christmas enlarging its board from five to seven. However, there is another principle involved in this that is also often discussed between the province and the municipalities, and that is the numbers involved. On a seven-man board, four are provincially appointed and three are locally appointed; a five-man board is three and two; on a three-man board, it is two and one.

This is a separate principle and one where we have always felt very strongly that the province, because it has the overall responsibility to the people of Ontario, has to take responsibility for the majority of appointments. Just by appointing a regional chairman you alter that, but I am quite open to look at the size of the commissions in the context of the discussions we would be having.

1530

**Mr. Mahoney:** On the question of the balance of power in the police commission, would the minister be willing to consider altering that balance of power to allow for a little more local autonomy on that particular police commission?

**Hon. Mrs. Smith:** The principle of the control or noncontrol is not alterable for one police commission. The member will note that in the changing of the size of the Metropolitan Toronto Police Commission from five to seven, it still remained four provincial and three local. The balance was maintained. I would have to say that we would not consider looking at one police commission having a different balance. Personally, I think it makes good sense to look at the larger police forces possibly having larger commissions, because I can accept the position put forward by that region that the workload is too much.



## PROTECTION OF OZONE LAYER

**Mrs. Grier:** I have a question for the Minister of the Environment. It concerns a pressing and growing concern about the depletion of the earth's ozone layer and the effect that has on skin cancer and many other things.

We have seen the aerosol industry planning to remove chlorofluorocarbons from aerosol cans in response to the banning of CFCs in packaging in many states and municipalities in the United States. We have seen the fast-food industry beginning to re-look at its packaging, but we have seen no initiatives, no action on the part of this provincial government to deal with the problem. Can the minister explain why?

**Hon. Mr. Bradley:** As the member will know, we are working at the present time along with the federal government in developing initiatives which will have the result of diminishing the impacts on the ozone layer. There have been some discussions taking place between federal and provincial officials. I will have the opportunity next week to further pursue this matter with some of my colleagues from across the country to determine what further action can be taken that has not already been taken in years gone by to solve this problem.

Some of it is sourced outside of this country; in fact, a considerable amount of it. The member for Sarnia (Mr. Brandt) was telling me, for instance, that within the airshed where his constituency is located, a lot of the ozone problem is originating from the United States. We are prepared to take whatever further action is necessary in Ontario to ensure that we contribute our fair share to solving this problem, as we have in so many other areas.

**Mrs. Grier:** I am glad to hear that the province is prepared to take some action, because there are some very specific actions that this minister can take, and I would like to have an assurance from him that he will.

In the first place, he could include CFCs in the new air pollution regulation 308. He has not so far indicated he is going to do that. In addition, I am distressed to discover that there is in this province no legislation, no regulation, governing the handling or repair of either domestic or commercial refrigerators and air-conditioners. In their repair, frequently CFCs are released into the atmosphere and there are absolutely no industry standards governing this kind of activity.

These are two concrete suggestions that are entirely within the jurisdiction of the minister. Will he agree to act on them?

**Hon. Mr. Bradley:** The member may not be aware, or perhaps she is aware, that we are currently funding industrial 4Rs projects which are designed to recycle the CFCs from industrial uses. By providing this kind of initiative, and it has been going on for some time, we feel we can make an impact.

In addition to that, I want to inform the member that the two CFC plants in Ontario are both closed-loop. There is no opportunity for that pollution to escape if they are closed-loop. It may not please the member to know that because it does not expose the government to excessive criticism, but nevertheless that is exactly the case.

**Mr. Wildman:** Oh, come off it.

**Hon. Mr. Bradley:** Well, I mean, in baseball you have to be good pitchers and good catchers. Unfortunately, some people are good pitchers but they are not good catchers.

**Mr. Wildman:** Some people throw sucker balls.

**Hon. Mr. Bradley:** I am indicating there are several actions that have been taken in Ontario and we are always prepared to take any further actions that are necessary to ensure that—

**Mrs. Grier:** Just can't take criticism.

**Hon. Mr. Bradley:** I have already explained to the member what some of those actions are. I know she does not want to hear the good news; at least that is what they always say on this side, that they do not want to hear the good news, they want to simply characterize everything as being doom and gloom. I want to tell the members of the House that there is considerable environmental progress being made in this province and these are initiatives that are designed—

**Mr. Speaker:** Thank you. Now that we have been to the ball park, the member for Durham East.

**Mr. Cureatz:** Thank you very much, Mr. Speaker.

[Applause]

**Mr. Cureatz:** Let the people at home know that all the Liberals gave the Tory member a round of applause.

Now, my question, Mr. Speaker, if you will listen very closely, is addressed to the minister of the crown who sits between the Minister of Health (Mrs. Caplan) and the minister who is Chairman of the Management Board (Mr. Elston), and in front of the Minister of Northern Development (Mr. Fontaine). My question is to that particular minister.

**Mr. Speaker:** Order. I have figured that out. That is the Minister of the Environment.

### LANDFILL SITES

**Mr. Cureatz:** It just grieves me to no end to think that particular minister, albeit he is doing some adequate work in regard to acid rain, is not doing a heck of a lot about this particular issue, which is that Metro Toronto, in its wisdom, has picked a fourth possible dump site in—where else?—my riding of Durham East, in the town of Newcastle; not one, not two, not three, but four.

Do members know where this one is? On the shores of Lake Ontario. Three out of the four, if they can believe it, are on the shore of Lake Ontario.

The interesting thing is, and my question to the minister is, it has been indicated by a former Liberal candidate in the last election, who happens to be running for municipal election, that she has a meeting with the Minister of Environment about the concerns she has and how she is going to stop the dump—

**Mr. Speaker:** Order.

**Mr. Cureatz:** What is the minister's response going to be to the former Liberal candidate when she meets with him, and is it going to be any different from the response to me that he is going to have a hands-off—

**Mr. Speaker:** Order; Minister.

**Hon. Mr. Bradley:** As I have indicated in the past to the member for Durham East, our role in this kind of initiative is a regulatory role. There has been no formal proposal put forward to the Ministry of the Environment or the Environmental Assessment Board for consideration that emanates in either the constituency he represents or any other constituency, as it relates to the Metropolitan Toronto situation. I can tell the member, as I would tell anybody, that when such recommendations or proposals are put forward to us, we give them full consideration as a regulatory agency.

I am not in a position to indicate to Metro Toronto that it should or should not be pursuing sites wherever it deems appropriate. They have had on other occasions sites both within the boundaries of Metropolitan Toronto and outside. I do, however, understand the concerns that the member has and the fact that he would want to answer to his own constituents about the potential of a Metro site being in his riding. I can assure him that we look very carefully at any proposals that come forward. I know the member himself will have comments on any specific proposals of a formal nature.

**Mr. Speaker:** Supplementary.

**Mr. Cureatz:** Not wanting to miss the opportunity of a supplementary: the minister and I go back a long way in this House. I have to admit—albeit I am sure my leader will cringe about this—he has done an adequate job of expressing concerns about acid rain—

[Applause]

1540

**Mr. Cureatz:** I will regret this; I can see it.

The minister has not done a bad job of expressing his concerns about acid rain, but the truth of the matter is that, in regard to landfill sites in the Golden Horseshoe, he has taken no leadership. The municipalities of Durham, Metropolitan Toronto, Peel and Halton are spending millions of dollars trying to find a landfill site.

Does the minister not think it would be better if he called in those municipalities and approached them on a co-ordinated effort to resolve the garbage crisis in the Golden Horseshoe; and please, when will he convince his cabinet colleagues that it is time that he did it?

**Hon. Mr. Bradley:** I do not like to intrude upon the municipal responsibilities that are very jealously guarded by people who have served at the municipal level for a number of years, as I did. I think I always resented the intrusion of the provincial government on those kinds of matters that were within the jurisdiction of a municipality.

But I do want to assure the member that in fact I have met, at the request of the people involved, with the chairmen of the regions he mentions, in order to discuss a number of problems that exist, including waste management. I think the member's suggestion that some of the solutions to waste management lie beyond the borders of any particular municipality may or may not have some merit, but that is something that the municipalities are discussing.

Each individual municipality and regional municipality shares the concerns about attempting to find a place to put its garbage. As members know—and the member I know supports this—I have very strongly pushed the option of recycling to reduce considerably the amount of material that would go into any particular landfill site.

I want to assure the member that the chairman of his region and the chairmen of other regions have met with me to bring their concerns to my attention and I think that, in the long run, he will see more co-operation among various municipalities in a co-ordinated area. That probably is the



best solution to waste management in the province.

### LABOUR DISPUTE

**Mr. Owen:** I have a question for the Minister of Community and Social Services. The minister is aware that the strike at Catulpa-Tamarac in Orillia and Barrie is still continuing, and the concern is that the staff is seriously underpaid at that particular agency.

I have talked to one family therapist who has a master's degree, has had 18 years in his field and has worked with this agency for 13 years, and he is earning only \$31,000. I am advised that a similar person with the Royal Victoria Hospital in Barrie would earn about \$37,000, that the children's aid would pay about \$40,000 and that the Ministry of Community and Social Services would pay about \$40,000.

Is there anything the minister can do to try to hold out some possible help to resolve the situation and to end the strike so that these people could get back to their job of helping people?

**Hon. Mr. Sweeney:** Catulpa-Tamarac is a good community agency that provides a range of services to the area it serves. I can well understand the concern of the honourable member for the continuation of that service. As the member I am sure knows, we, as a government, are moving increasingly into community services and away from institutional services. One of the difficulties we have is the one that he just brought to our attention. That is the discrepancy in salaries between what is paid at the institutional level and what is paid at the community level.

We have done two things. The first one was in 1986, when we put an additional \$5 million into the agency's salary bill to try to bring up the lowest-paid people. Last year, we put in an additional \$10 million for the same purpose. We are working with a number of agencies now to slowly close the gap between those two levels. Unfortunately, it is not going to happen as quickly as some of them would like.

I can only tell the honourable member that it is our intent to close that gap and to see to it that the agencies have sufficient resources to pay fair salaries.

**Mr. Owen:** The agency has indicated that it feels its hands are tied because it receives about 95 per cent of what it has to work with from the ministry. On the other hand, I appreciate that the ministry really has no direct control over what the particular agencies do with the moneys as they receive them.

We are in a bit of a dilemma. The minister has indicated that something is going to be done over the long term. Can he give us any assurance that there could be some help at this time to assist these people who are out on strike and who are concerned about neglecting the people who require the help and the services of this agency?

**Hon. Mr. Sweeney:** Responding to the last comment the honourable member made, I am certainly pleased that the agency has arranged for, along with the consultation with my ministry staff, the most important services to continue, even during this disruption.

But speaking to the first part of his question: as he indicates, we are currently providing about 95 per cent of their budget requirements at the present time. That is a very significant number of dollars. In most cases, it costs us a little bit more to provide services at the community level for the same people for whom we provide at the institutional level and, therefore, there has to be some limit to the resources that we apply.

Many agencies find other resources that they add to that total pot. The responsibility of my ministry and my ministry staff is to work as closely as we possibly can with the agency people to use the resources they have in the ways that they think are most acceptable.

With respect to wage increases, we do not dictate to them how much of their money they can use for that purpose. The only limitation that we put on is that, if they are going to allocate a permanent wage increase, then they must be able to assure us that they are going to have the cash flow to be able to pay for that, not only in one year but also in subsequent years.

**Mr. Speaker:** Thank you very much. Order. That is a fairly comprehensive answer. New question, the member for Hamilton West.

### CHILD CARE

**Mr. Allen:** To the same minister, to keep him in good exercise. The guidelines governing the direct day care grants announced on April 7 by the Minister of Community and Social Services say that the funds, and I quote, "may only be used to increase existing staff salaries and/or benefits and to increase payments to providers." Only under some special circumstances is there a secondary purpose allowed in the direct grants to those day care centres.

Is the minister aware that the vast majority of day care workers who were to receive wage increases of up to \$5,500 each in April, as a result of his announcement, in fact have not received one penny of the \$9 million in direct operating

grants that he has been talking about for a year now; and that, as a result, his program is causing tension between workers and board members and more instability in day care centres, as workers move to centres that have applied their grants in the form of higher wages as intended?

**Hon. Mr. Sweeney:** As the honourable member is aware, we indicated to the nonprofit centres that we would flow the money, effective January 1, but we did not actually send out the cheques until, I think, early in April.

We had a clear indication from those nonprofit centres that the money would be used for the two purposes that the member described. As a matter of fact, the feedback that we are getting at the present time is that the average salary increase is in the neighbourhood of about \$3,500—in some cases, a little lower, in some a little higher—but the average is about \$3,500.

We are still in the process of monitoring that but, as the member will be well aware, April to now is just about two months. There are quite a few agencies and centres in this province, and we obviously have not monitored all of them.

With respect to the for-profit centres, we indicated that the provincial share only would be retroactive to April 1. Those cheques have not started to flow to the centres yet and, therefore, it is entirely possible that those centres would not actually pay out that money, granted that it will be retroactive to April 1, until they get the cheques in their hands.

We hope to have those cheques out before the end of this month. Once again, we have indicated very clearly to the commercial centres that we will be monitoring and we will be checking their books.

**Mr. Allen:** The average of the wage increase shows no indication as to how many people are getting it or what is being done with it at the other end. A survey that was conducted at the end of May shows that only eight of the regional or municipal centres that were called had passed the money on to their employees, even though they had received it. One actually suggested it would buy equipment. Several others were talking about putting it away in a pay equity reserve fund somewhere for the future.

Only 12 of 30 of the private employers surveyed had passed on any of their grant money to employees. To make matters worse, local offices of the Ministry of Community and Social Services are pressing the minister to make the guidelines even looser, so that there will be even greater discretion in the use of the money at the receiving end.

Will the minister make it clear to the day care centres, please, that they must pass the grant money on to their employees in the manner prescribed in the guidelines?

1550

**Hon. Mr. Sweeney:** As the honourable member mentioned in the first part of his question, there is some small amount of discretion if in fact the wages that are being paid to employees in a certain centre are at the top end in that particular community. There is that small discretion, but there has to be clear evidence that that is the case.

Other than that, we are standing very firm with our position that that money must be used either for increased wages or reduced parent fees or a combination of both. That is the requirement, and I have no intention of changing that.

Quite frankly, if the wages being paid in a particular centre are not at the top end in that community and they do not use it for that purpose, then there will be a penalty built into a future flow of funds. We have no intention that money will be stuck away for some other purpose.

## PETITIONS

### RETAIL STORE HOURS

**Mr. Harris:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario.

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

It is signed by about 25 of the most thought-provoking, thinking citizens of North Bay and Sturgeon Falls.

### RESTITUTION TO PROPERTY OWNERS

**Mr. Pelissero:** I have a petition. It reads as follows:

"To the Lieutenant Governor and the Legislative Assembly;

"The impacts and the impact zones, as outlined in the Ontario Waste Management Corporation's document, Managing Change, are unrealistically restricted. Therefore, we, the undersigned residents and ratepayers of west Lincoln and surrounding municipalities, demand that the impact zone for full restitution to property owners extend to a five-mile radius, as was done with Ontario Hydro in Bruce county."

It is signed by 1,300 residents of the riding of Lincoln, and I affix my signature.



## RETAIL STORE HOURS

**Mr. Villeneuve:** I have two petitions. They both pertain to Sunday shopping. The first one is signed by 151 persons from the Toronto area and it reads as follows:

"We, the undersigned, strongly object to Sunday shopping."

I endorse this petition.

I also have a petition signed by 78 persons, members of the Heritage-York pastoral charge of the United Church of Canada, which reads as follows:

"We hereby request that the provincial government uphold the current policies of Sunday shopping."

I will not read the many "whereases," but I will read the conclusions.

"1. Our society needs a common pause day and day of rest. Given the historical rootedness of Sunday as such a day in our Canadian society, it is logical that Sunday continue to be such a day of pause and rest.

"2. We are concerned that extended Sunday shopping will place additional and unfair pressure on retail employees and operators of small businesses, thereby taking away from them any opportunity for a common day of pause from work.

"3. We believe it is a fallacy, generated by the overemphasis on consumerism in our society, to claim that additional Sunday shopping will generate increased economic benefits for society. The human costs of extended Sunday shopping will bring no significant benefits to our society or economy and will only serve further to erode the personal and family values which have historically and traditionally been the foundation of our life together."

I fully agree with this petition. I have signed it and endorsed it.

**Mr. Sterling:** I have a petition as well, signed by 349 persons from Bleeker Stereo and TV in Nepean, Ontario. Hans Bleeker happens to be a personal friend of mine and feels very strongly on this issue.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario;

"We love our families! Don't legislate employees to work on Sundays! We don't need wide-open Sunday shopping!"

I have signed this petition.

## TAX INCREASES

**Mr. McCague:** I have a petition signed by many irate taxpayers in Ontario, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Bob Nixon, you've gone too far."

## INTRODUCTION OF BILLS

PITS AND QUARRIES CONTROL  
AMENDMENT ACT

Hon. Mr. Kerrio moved first reading of Bill 153, An Act to amend the Pits and Quarries Control Act.

Motion agreed to.

**Hon. Mr. Kerrio:** The purpose of the amendment is to clearly enable the Minister of Natural Resources to transfer pit and quarry licences between established operators. The amendment will also validate those licences which have already changed hands. There is no change in the way the ministry administers the Pits and Quarries Control Act.

The amendment has become necessary because of a recent judicial review in the Supreme Court of Ontario involving a ratepayers' group seeking to close a quarry near Orillia. The amendment rectifies the legal ambiguity of the act and is in total conformity with the intent of the legislation as endorsed by the Supreme Court.

## PETERBOROUGH CIVIC HOSPITAL ACT

Mr. Adams moved first reading of Bill Pr47, An Act respecting the Peterborough Civic Hospital.

Motion agreed to.

## ASSESSMENT AMENDMENT ACT

Mr. Philip moved first reading of Bill 154, An Act to amend the Assessment Act.

Motion agreed to.

**Mr. Philip:** The purpose of the bill is to extend the time for notice of appeal concerning an assessment from 21 days to 60 days.

## ORDERS OF THE DAY

RETAIL BUSINESS HOLIDAYS  
AMENDMENT ACT

(continued)

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**Mr. Sterling:** This is an issue on which I will attempt to speak not only for people in the riding of Carleton but also for people from all over eastern Ontario, particularly those represented

by government members, because Liberal government members representing Ottawa area ridings seem very reluctant to speak up on behalf of their constituents. I see the member for Ottawa West (Mr. Chiarelli) coming in here and I hope he is going to speak for the many people in his area.

In the time allotted for us to present petitions, I presented a petition this morning for people who had brought forward their views with regard to these pieces of legislation for the city of Nepean. Of course, that area is represented by a Liberal member of government as well. I think one should not be fooled by the fact that this Legislature has only received—

**Hon. Mr. Conway:** Happy anniversary.

1600

**Mr. Sterling:** I thank the member. Mr. Speaker, you may not be aware of this, and I break away from my general remarks on Bill 113 to say that this happens to be June 9, 1988. It was 11 years ago today that I was first elected to this august body, at the age of 18.

**Mr. Smith:** Do you expect us to believe that?

**Mr. Sterling:** I know the member will believe the rest of my remarks, though perhaps he will not believe that.

Was the member for Windsor-Riverside elected in 1977 for the first time?

**Mr. D. S. Cooke:** Yes.

**Mr. Sterling:** And the member for Hamilton Mountain (Mr. Charlton) as well. There were a number of others. Unfortunately, a lot of them have fallen by the wayside.

**Mr. D. S. Cooke:** Maybe they have moved back into the mainstream of Ontario's life.

**Mr. Sterling:** That is right.

In spite of my partisan view on a number of issues, over the last 11 years there have been probably two issues which I feel have been dealt with by governments in a very ham-handed, ill-conceived manner.

I believe many of the politicians here, who can attribute their success as members of this Legislative Assembly to the handling by the former government of Bill 30, which was the extension of separate school funding.

I think perhaps the second one in those past 11 years in terms of how badly an issue has been handled by government relates to the legislation we are talking about today. I do not know if the members remember, but if they go back to November 1987, and even prior to that, to the Magder case, when the Attorney General (Mr. Scott) was trying to uphold the present law that

we have controlling Sunday shopping, the Retail Business Holidays Act, in his arguments in front of the Court of Appeal—and it was again appealed to the Supreme Court of Canada—the Attorney General argued basically for the positions that the opposition parties are putting forward.

It is hard to read his words and his factums in front of those courts and not wonder how on earth a government has gone 180 degrees from where it was in terms of trying to maintain a day of rest, a common pause day for people in Ontario.

I think it is worth while reading into the record what the Attorney General said in his factum to the Court of Appeal: "The evidence 'overwhelmingly' indicated that there was a need for a legislated pause day due to a reluctance on the part of many industries to regulate themselves in accordance with this objective.... There is an accompanying erosion of the opportunity for retail workers to participate in leisure activities with family, friends and others. A uniform pause day was needed to allow the pause day of retail workers to coincide with that of their school-aged children, spouses, friends and community events. A quality common day of recreation was needed for as many of Ontario citizens as was possible."

I asked the Attorney General this week a question in the Legislature in relation to that statement. I asked him directly: "Do you believe that by delegating the authority to 843 municipalities, or whatever number of municipalities there are in the province, there are going to be more stores open or less stores open? Are there going to be more retail workers working on Sunday or fewer retail workers on Sunday?"

The Attorney General, with a straight face, said to me he thought there were going to be fewer people working on Sundays. I do not believe anybody looking at this legislation who has any idea of how society works, of the pushes and pulls on municipal councils which take place, can draw that conclusion, can believe that. Can anybody believe that municipal councils, once this has been delegated to them, are going to close down stores that are now open?

**Mr. Faubert:** We believe.

**Mr. Sterling:** Do you believe that?

**Mr. Faubert:** Yes.

**Mr. Sterling:** Do you really believe that? You believe the Olympics are going to Greece in 1996. I believe they are going to Toronto too.

At any rate, there can be no doubt that by the delegation of this authority to the municipalities to make up their minds, some municipalities will go for it. They will go for it in order to attract



shopping centres to their municipalities. They will say to those shopping centres, so that they will not go into the bigger, more metropolitan areas: "Come on out here into our semi-urban, rural municipality. We are looking for assessment, but what we will do for you, Mr. Shopping Centre Owner, is let you open on Sundays and you can draw those people out of the larger metropolitan areas to our area and you will get more business for it."

That is what is going to happen. We originally thought that perhaps the drive for Sunday shopping would be found in the larger metropolitan areas, but from the way this legislation has been drawn, the consensus now is that the areas outside the larger metropolitan areas will be the first to break. Municipalities which are not now populated by a lot of people but are on the edge of large populations will go for wide-open Sunday shopping.

Of course, we know what happens when that breaks open. The shopping centre owners and the retail merchants who lose the business to people who go outside will come to their municipal council and say: "Look, we have been paying taxes to you for a long period of time. We want equal treatment." Then it will be done and there will be more and more stores opening as time goes on.

Experience shows and I am told—I have had so much written material on this that I cannot source the document right here in front of me—that people will go as far as 100 miles to shop at a particular place. Therefore, the whole idea of saying one is in favour of a common pause day for the people of Ontario is really subject to a lot of questions when one knows that people will travel those kinds of distances to shop at a particular time.

Quite frankly, I have difficulty in drawing the same conclusions as the Attorney General does, after this legislation passes, since there are at least 100, 200 or 300 other bodies which will have the right to make their own laws in this regard. I have a difficult time coming to the conclusion that even with the overwhelming desire of most of the people of Ontario to be against this initiative, some of those municipalities will not break under the pressure.

I want also to draw attention to how that would happen in a municipal council. What establishes the value of a commercial piece of property now is usually the zoning. If a person wants to change the use of that, if he wants to change it from residential to commercial, from residential to industrial or whatever, he has to go through a

process whereby he has the zoning changed. When one goes through that process, the community has to be notified of the change, so that everybody, I believe it is within 400 feet of the particular piece of property, receives a notification in the mail that there is going to be a general meeting.

#### 1610

A planner usually comes down from the municipality and explains what is being proposed. The community then has a chance to react. It has a chance of appeal to the Ontario Municipal Board, but not under Bill 113. Under Bill 113, significant pressure can be brought to council to go ahead with, in effect, rezoning land, if you want to call the changing of use from six days to seven days a rezoning.

It is really a change of use of land. But under Bill 113, all that has to happen is for a member of council to put up his hand and say: "Mr. Mayor, I have a resolution or a motion. I want to allow wide-open Sunday shopping in our municipality." If the bylaw goes through three readings, that is it. There is no requirement that the public be consulted and no requirement that anybody know about it. It can be done just as quickly as that.

That would be even more important when dealing with a very small part of a municipality. If the municipal council decides singlehandedly to change one portion of the municipality where it could affect the family life or community life of an area, because of increased volume of traffic on Sundays going to a shopping centre, that area of the municipality would have no prior notice that the change in use, of a large shopping centre, for example, was going to take place on Sundays. It could be done like that without the municipality having to tell the local community there was going to be a change.

I really have difficulty coming to any other conclusion than the fact that this bill, Bill 113, is going to lead to more retail stores opening on Sunday and is going to lead to more retail employees working on Sunday. I think anybody who has looked at the legislation and has any experience will come to that conclusion.

The other statement I find just totally contradictory to what the government is doing today, and it was put forward by the Attorney General in this case, relates to the employees.

I will read that statement as well. This again comes from the factum to the Court of Appeal: "Employees in the retail sector were viewed as being in need of a statutorily mandated day of rest. Without such a regulation prohibiting



Sunday openings, the vigorous competition for market share would force many retailers to open." That is what I talked about a few moments ago. "Retail employees are generally nonunionized, have low job mobility and few, if any, mechanisms for the redress of grievances. As a group, retail workers are not 'in an economic position to negotiate a satisfactory financial arrangement for Sunday work' and are 'subject to subtle economic pressure to work, particularly in large establishments where employee resistance to management decisions to open would be met simply by replacing the resisting employee.'"

The context in which the words are put forward by the Attorney General is interesting. What he is saying is that regardless of the law—and this government is going to argue that Bill 114 answers all the concerns of employees—some 250,000—I believe that is approximately the number of people who are working in the retail sector—would not be able to protect themselves from subtle pressures—those are his words—that would be applied to them to come to work on Sunday, regardless of whether they wanted or did not want to come to work.

We have an Attorney General posturing that he wants to have as many people with this common pause day as possible. We have an Attorney General posturing that it does not matter that we have a law trying to protect these workers. The practical fact is that under the existing circumstances in Ontario, where about one fifth or 20 per cent of them are unionized, the other 80 per cent really do not have anybody to carry the ball for them if a retailer steps over the line.

Also, the fact of the matter is that many of these businesses are small businesses and there is a tremendous loyalty between the employee and the employer. Therefore, if the employer is shoved into or forced to open on Sundays, the employees will go along regardless of the fact that they would much prefer to stay at home with their families that day.

We have a situation where anybody who has one shred of common sense knows there are going to be more stores open. We have a situation where we are going to have a weak position for employees to put forward to protect themselves against working on this day. What we have is a regression from the existing state of the law because, in spite of the remarks about the problems with the definition of what is and what is not a tourist area, quite frankly, the retail trade would prefer to sit down with the members of the Legislative Assembly and try to fix what is broken, rather than hand it off and walk away

from the responsibility, as this provincial government is choosing to do.

In eastern Ontario, I have to tell members, there is very little support for this legislation.

**Mr. Chiarelli:** Do you want to bet?

**Mr. Sterling:** Yes, I would like to bet.

**Mr. Chiarelli:** What does the mayor say? What does the Ottawa Citizen say?

**The Deputy Speaker:** Order, please.

**Mr. Sterling:** Look, there is a bias in terms of newspapers. Newspapers would love—

**Mr. Chiarelli:** What about the mayor of Ottawa?

**Mr. Sterling:** The mayor of Ottawa can have his opinion. I do not care. What does the Liberal deputy mayor, Mac Harb, say about it? Is Mac Harb for it?

**Mr. Chiarelli:** He likes what we are doing.

**Mr. Sterling:** Yes, he sure does, eh? That is not what he told me. He told me he was against this.

**The Deputy Speaker:** The member will address his remarks through the chair.

**Mr. Sterling:** He met with the Solicitor General and told her that too, as did the Liberal mayor from Cornwall. He met with the Solicitor General and told her that he did not like it. Did he not tell her that?

**Hon. Mrs. Smith:** Maybe once I explained it to them, they had time to think about it.

**Mr. Sterling:** I talked to them after the minister talked to them.

**The Deputy Speaker:** Order, please. No interjections and the member shall address his remarks through the chair. Thank you.

**Mr. Sterling:** Of course, I was addressing you, Mr. Speaker, until I was interrupted by my colleague the member for Ottawa West, who is obviously in favour of wide-open Sunday shopping. I hope he does take that position because I would love to run in the next election or have our candidate run. Maybe I will switch to Ottawa West and run against the member for Ottawa West next time, because that is where I was born and raised, actually, or very close to there.

**Mr. Chiarelli:** That is because you will lose your own riding. Roly is waiting for you.

**Mr. Sterling:** Roly is waiting for me. Oh, boy, am I frightened.

**Mr. Faubert:** You had better look at the poll results before you make that decision.

**The Deputy Speaker:** May I again remind the member to address his remarks through the Speaker, please?



**Mr. Sterling:** Oh, yes. I am sorry. Anybody in our party who went through that last election will be there the next time and in spades.

**Mr. Hampton:** There are a lot of instant experts over there.

1620

**Mr. Sterling:** Well, we have a few of them. Yes, we have a few.

**Mr. Hampton:** They won one election and they're instantly experts.

**Mr. Sterling:** What did John Diefenbaker call them? Johnny One-Timers. Was that not what he called them?

At any rate, I would like to get back to what eastern Ontario is telling me at least, and what the business community is telling me. There was a very large meeting held by one section of CAOSS in the Ottawa area; CAOSS stands for Coalition Against Open Sunday Shopping. All the Ottawa MPPs were asked, including you, I believe, Mr. Speaker. It is kind of ironic that only one MPP showed up, and that happened to be the member for Stormont, Dundas and Glengarry (Mr. Villeneuve).

**Mr. Chiarelli:** Where were you?

**Mr. Sterling:** Unfortunately, I was out of the country and indicated to the chair that I was out of the country and was unable to be there. I do not believe there was anybody else who indicated they were unfortunately detained and could not be at that particular meeting.

I believe there were over 1,500 people at that meeting who were interested in that issue, all expressing that they wanted to maintain or fix up the Retail Business Holidays Act. I have not had one telephone call or one letter in favour of what the government is doing. I think it partly relates to the fact that the government is out of sync with what the people of Ontario really want.

I think it is a sickness that is coming over the present administration in terms of trying to be trendy and upbeat, trying to say it is part of that yuppie image the Premier tries to put forward, trying to say that Sunday shopping is inevitable, that we cannot stop that kind of thing from happening, that it wants to be seen at the forefront of this kind of initiative, and, therefore, "Let's get on the bandwagon; let's be out and there and put it forward."

I do not believe there is a quorum here, Mr. Speaker.

The Deputy Speaker ordered the bells rung.

1622

**The Acting Speaker (Miss Roberts):** A quorum now being present, would the member for Carleton wish to proceed?

**Mr. Sterling:** Thank you, Madam Speaker. I am glad to see you are in the chair to listen to a few of my remarks, although I know you would be following this debate with interest whether you were in the chair or not.

I was speaking about the feeling of eastern Ontario and some of the people I represent in eastern Ontario.

Interjection.

**Mr. Sterling:** The Ottawa-Carleton Board of Trade has expressed its concern about this piece of legislation, and you would think, Madam Speaker, that perhaps the member for Ottawa West (Mr. Chiarelli) would be interested in hearing what it has to say. He asks if I have been listening. I only listen to communications I receive or read, so I will read into the record what the Ottawa Board of Trade has to say.

**Hon. Mrs. Smith:** That was before Gilles spoke to the amendment.

**Mr. Sterling:** Oh, you think they are in favour of it.

**The Acting Speaker:** Order.

**Mr. Sterling:** Oh, I see. The member for Carleton East (Mr. Morin) has changed them all around. He has changed the retailers and the business community around. They are in favour.

Interjections.

**The Acting Speaker:** Order.

**Mr. Sterling:** Were these the ones who were at the same Liberal fund-raiser? Is that the one you are talking about?

**Hon. Mrs. Smith:** These were at the chamber of commerce—

**Mr. Sterling:** I see; OK.

**The Acting Speaker:** Order. I request all members to remember that remarks should be directed through the chair. Thank you.

**Mr. Sterling:** I am sorry, Madam Speaker. The Solicitor General (Mrs. Smith) would like to speak, I guess, and she keeps interrupting.

**Mr. Ruprecht:** Keep your comments on a nonpartisan basis, please.

**Mr. Sterling:** I thought this was a partisan issue.

**Mr. Neumann:** Rise above it. You can do it.

**Mr. Sterling:** Timothy Whitehead, acting chairman of the Ottawa Board of Trade stated recently:

"The board of directors of the Ottawa-Carleton Board of Trade wish it to be known that we, like our counterparts in the Ontario Chamber of Commerce and many other chambers throughout

the province of Ontario, stand firm in our belief that it is the responsibility of our provincial politicians to resolve the controversial issue of Sunday shopping. To delegate this responsibility to our municipal government is totally inappropriate"—

**Mr. Neumann:** We haven't delegated it.

**Mr. Sterling:** I am sorry. I thought I had read Bill 113, and I thought it was delegating authority to them to make the rules.

**Hon. Mr. Ramsay:** Everything is closed.

**The Acting Speaker:** Order.

**Mr. Sterling:** "To delegate this responsibility to our municipal government is totally inappropriate; for municipalities act unilaterally in their own interest, without regard for neighbouring municipalities.

"As cited in our annual statement of 1987, this delegation will result in a patchwork of differing local laws and result in unfairness to many merchants."

I thought that was pretty good. I thought it was against this particular step, and the way I read it is that the Ottawa-Carleton Board of Trade does not like this. Now, if it has changed its policy, it sure has not let me know. It has not written me subsequent to this particular document, and I would assume that being the responsible organization the Ottawa Board of Trade is, it would get hold of me and let me know it had changed its policy with regard to this issue, if that were the case.

I talked to several members of the board of trade. In fact, I talked to all but one of the delegations that went to see the Solicitor General and they were not very satisfied with that meeting, as far as I could tell.

Mr. Whitehead concluded on behalf of the Ottawa-Carleton Board of Trade:

"I ask that the provincial government look again at this very important issue, recognize the error in their judgement and act quickly to return to themselves the responsibility of determining whether Ontario residents will or will not have Sunday shopping."

It is as clear as could be. It is as clear as a bell. It is against what the government is doing. This is also true of a number of the local governments that are in the area. This is from the city of Kanata which I represent:

"The staff be directed to advise the provincial government that the city of Kanata opposes Sunday shopping and the transferring to the municipalities the provincial authority to regu-

late closing of retail businesses under the Retail Business Holidays Act."

**Hon. Mrs. Smith:** Does Ottawa think Bytown should be closed?

**Mr. Sterling:** Pardon?

**Hon. Mrs. Smith:** Does Ottawa think Bytown should be closed?

**The Acting Speaker:** Order.

**Mr. Sterling:** Sorry, I couldn't hear the Solicitor General.

**The Acting Speaker:** I would ask the member for Carleton to complete his speech.

1630

**Mr. Sterling:** That may take a few moments, Madam Speaker; it is an important issue. If we want to open areas in the city of Ottawa and whatever, let's make the rules here. Let's make them here so that it does not matter whether you are in Ottawa, Nepean, Gloucester, Cumberland, Rideau, Osgoode, Goulbourn or Kanata. Those are all of the municipalities in the Ottawa-Carleton area and I represent five of them. I probably represent more municipalities in the Ottawa area than any other member, even though they are all government members. I represent more municipal governments than the member for Ottawa West. He only represents two aldermen, I think. I represent 50 different politicians, and of the 50, none has come to me and said: "Norm, we want to regulate this area. We want to make up the rules."

**Mr. Chiarelli:** Three hundred votes; you won't represent any of them.

**Mr. Sterling:** I represent 75,000 people, as I have for the last 11 years, as you know, Madam Speaker. The member for Ottawa West, who has represented probably about 65,000 people for eight months and one election, has made comments with regard to how I represent 300 or 500 people or whatever.

**Mr. D. S. Cooke:** How many of your municipal politicians bought turkeys?

**Mr. Sterling:** All of them.

I have read the city of Kanata's resolution. I would also like to read the township of Goulbourn's. It is a growing municipality, and as a municipality would be subject to the kind of pressures I mentioned with regard to other municipalities outside the regional municipality of Ottawa-Carleton allowing Sunday shopping, whereas the township of Goulbourn would be controlled by regional control. In other words, the township of Goulbourn would be subject to what the region said, whereas if you jumped over



the border to Beckwith township, which is in the county of Lanark, that municipal council could make its own rules.

Therefore, it is going to be subject to the kind of pressure I was talking about, a shopping centre right on the edge of Beckwith where the municipal council, wanting that kind of thing, might decide—I do not know whether it will decide—that it will allow Sunday shopping to occur right in that corner of the municipality, out in the middle of a field somewhere so it will not bother its residents. What it will mean is that retail workers will be required to staff those stores on Sundays. That is what is going to happen here.

Anyway, the township of Goulbourn wished to go on record to join the Coalition Against Open Sunday Shopping and state that it objects to the decision of the provincial government to shift Sunday shopping legislation from the province to the municipalities.

**Hon. Mrs. Smith:** Since all those regions are supporting you, you really—with all that support.

**Mr. Neumann:** It's only an option.

**Miss Nicholas:** they don't have to take the option.

**Mr. Sterling:** They are not following the thrust of my speech. I think that is a tragedy. I wish they would listen more closely.

**Mr. Smith:** You're giving it a good shot, Norman,

**Mr. Sterling:** I know.

I would also like to bring forward to the attention of the Legislature what AMO feels about this particular legislation. I am reading from an editorial of February of this year: "In a nearly unanimous vote, three dissenting, the board of directors of AMO"—that is the Association of Municipalities of Ontario—"reaffirmed the municipal position on Sunday shopping. The board of directors"—

**Hon. Mrs. Smith:** They took it before we read the bill, and they said they didn't want to know what we were putting in the bill because they weren't interested in changing their position.

**Mr. D. S. Cooke:** No, Joan, the principle was that they didn't want you to pass the buck.

**The Acting Speaker:** Order. I would remind all members again that the member for Carleton has the floor and that I think we should listen intently to what he has to say. There will be time for all members to enter into the debate in the last 10 minutes.

**Mr. Neumann:** It's tough listening.

**Miss Nicholas:** It's just so stimulating.

**Mr. Sterling:** Well, it seems to be stimulating; it sure is shaking the cages here a little bit.

Anyway, the Solicitor General has interjected into the debate this afternoon that the Association of Municipalities of Ontario took this position before the legislation came down.

**Hon. Mrs. Smith:** Before it was written.

**Mr. Sterling:** Well, I agree; they did. They took it before it was written, but after they had heard about it. That was what the minister's planning was all about. She said she was going to do this thing and she had not even figured out how the heck she was going to do it. That is part of the minister's problem. She backed into this thing. She fell into it. The Attorney General said at one point in time—

**Mr. Chiarelli:** On a point of order, Madam Speaker: I note that there probably is not a quorum in the House and I also want to note that there is not one member from the third party in the House listening to the member for Carleton. In view of that, I would like to have a quorum call.

The Acting Speaker ordered the bells rung.

1637

**The Acting Speaker:** A quorum is now present. Would the member for Carleton please continue.

**Mr. Sterling:** I am just about through my introductory remarks and into the speech.

The Solicitor General was saying, before I was so rudely interrupted, that AMO had made its decision on the issue prior to the legislation being put forward. That is the second time I have heard that charge this afternoon with regard to positions other bodies had taken, that other parties had taken positions prior to the bills being introduced. That is true, but we have not heard—

**Ms. Poole:** On a point of order, Madam Speaker: I just want to correct Hansard. There is now one other Conservative member in the House.

**The Acting Speaker:** That is not a point of order, only an observation.

**Mr. Sterling:** Well, counting myself, that is about 12 per cent of our caucus, and I do not see 12 per cent of the Liberal caucus here this afternoon. I put that forward because I do not think most of them can count, so I can probably get away with it.

**Mr. Breagh:** It seems to have worked.

**Mr. Sterling:** It seems to have worked.

At any rate, our members have to man committees, and other members have to be on various committees.

The Association of Municipalities of Ontario—I am trying to get its position out and I am having a great deal of difficulty because of these interruptions—has resolved “that the Premier and the executive council of Ontario—that is, the cabinet—be advised that the Association of Municipalities of Ontario maintains its position that municipalities should not be charged with the responsibility of regulating retail store openings on Sundays and holidays.”

They placed that clearly in February. This legislation, Bill 113 and Bill 114, does not change one iota the principle that they do not want the provincial government passing the buck down to the municipal level to decide on this issue.

**1640**

It further states: “It is abundantly clear that retail shopping patterns are not dictated by municipal boundaries either at the local or regional level. By no stretch of the imagination can the regulation of store hours on a Sunday or a holiday be viewed as a matter which properly comes within the influence of a local council.”

Now that is the organization that knows how municipal councils work. They know from where their decisions come, and they know what is going to happen when Bill 113 and Bill 114 go into effect. They know that some municipalities are going to break ranks and create more Sunday shopping in this province, thereby requiring more of our people to work on those particular days.

I want to also bring forward the view of the Canadian Federation of Independent Grocers, which wrote to me in January 1988. They said at that time, and they have not informed me that they have changed any of it.

**Mr. Chiarelli:** They now support the bill; you're out of date.

**Miss Nicholas:** They've switched.

**Mr. Sterling:** I keep hearing the Liberals saying that everybody has changed their position on this, and it is funny that people who are as responsible as I believe the Canadian Federation of Independent Grocers are, as a group—it represents 1,500 independent grocers in this province—I could tell you that the ones who live in my area certainly have not switched their position on it, because they have forwarded me petitions against this particular legislation.

They say in their letter to me:

“Modern lifestyles with husband and wife at work and children either in day care or at school have already reduced the opportunities for the family unit to be together. Of course, part of the appeal of Sunday shopping among certain segments of our population stems from the very fact that many families, both husband and wife, are now working. Therein lies the dilemma. If asked, many people will say that they welcome the opportunity to shop on Sunday. At the same time, those same people will also indicate that they would be most upset if they were called to work on Sunday.”

As provincial politicians—

Interjection.

**Mr. Sterling:** I hear one of the members over here saying, “So would I.” Listen, I tell him this, I will be here on Sunday and my party will be here on Sunday if those members want to sit on Sunday. We will be here on Sunday. We will have as many as the Liberals and more than them on Sunday on a proportional basis.

Interjections.

**The Acting Speaker (Miss Roberts):** Order. Would the member for Carleton take his seat for a moment, please, while all members regain their composure?

I would ask that all members not interject. The member for Carleton is trying valiantly to complete his speech. Would you please allow him to do so?

**Mr. Sterling:** Thank you for your understanding, Madam Speaker.

I guess I get a little angry when people who are as privileged as we are, having a place like the Legislative Assembly of Ontario to work in from day to day, when bureaucrats, civil servants, have the opportunity to work in the kind of environment that they do and work regular business hours; they do not work Saturdays. Mind you, I work on some Saturdays and I work on some Sundays, but our civil service, in general, does not work on Saturdays and Sundays, but we have the option, at least. When we are politicians, we can say no to work on Sundays if we so choose.

Those people over there in this government are saying, “It's OK for us, but it ain't OK for them.” That is what they are saying. They are saying, “Retail workers, we won't protect you; but we're fat cats, we'll be OK.”

Madam Speaker, you know of the resolution my party put forward whereby we are quite willing, if this government feels it is necessary to put Ontario to work on Sundays, to go to work on



Sundays as well. Let's make the same rules for everybody.

**Mr. Breagh:** Will there be as many here then as there are this afternoon? That is the question.

**Mr. Sterling:** I think there would be more here on Sunday.

This is a quote from the Canadian Federation of Independent Grocers: "As provincial politicians, we believe that it is your responsibility to look beyond the perceived immediate desires of certain members of the population and ensure that the legislative changes are in the interests of all Ontarians, not just of this generation but of generations to come."

That is one thing this government is not considering in what it is doing. It is delegating the authority down, it is passing the buck, but it is not really concerned about what is going to happen 10, 15, or 20 years from now. Once it delegates it down, it will never bring it back up. Once Sunday shopping is established in this province, in 10, 20, then in 50 and in 100 municipalities, it is all over. You cannot turn back that kind of change in our society once it is introduced.

That is what is happening here under Bill 113 and Bill 114. We are taking another yuppie step towards the Premier's Ontario of tomorrow. That is what is happening. If the government lacks the resolve and foresight to stand firm in favour of Sunday-closing laws and passes the issue down to the municipalities, there will be no turning back the clock. That is what is happening here. We will never be able to turn it back.

The competitive nature of a free enterprise society, which we desire to foster, will in the long run guarantee that all commercial establishments must open on Sunday. It will not just be a question of retail stores being open and therefore retail employees working; all of those support services necessary to supply those stores will also be working. In no time, a vast number of people in this province will find that their work schedule calls for them to be at work on Sunday, and the one common day of rest for the majority of our citizens will be lost, and it will be lost forever.

If I could return to my speech: There are many other kinds of groups which are opposed to this. As I stated before, in my 11 years in this Legislature representing, first, the good people of Carleton-Grenville and now the people of Carleton, I have never seen such a coalition, such a number of groups gather around an issue. On this particular issue, we have church leaders, small-business people, large-business people,

labour unions and labour not represented by unions, all against this legislation.

They have put together a group called the Coalition Against Open Sunday Shopping, which has attracted over 300,000 members across this province who have given of their time and their money to fight this government on this issue.

1650

**Hon. Mrs. Smith:** Did Cam say they were out shopping? They were out shopping, these church groups and all that?

**Mr. Sterling:** I do not know if any of this CAOSS group was out shopping. They may have been out sunning last Sunday, but I do not know if they were out shopping last Sunday or not. I do not know what relevance the Solicitor General sees to that issue. I think what is of relevance is the fact that—

**Mr. Neumann:** You were the guys who opened racetracks on Sundays. You can go bet on the horses on Sunday, but you can't buy a shirt.

**Mr. Sterling:** We are getting interjections again from the member for Brantford. I hope he is standing up in his community and shouting out. I hope the member for Brantford is saying to the people of Brantford that this is the greatest thing since sliced bread, and I hope he runs on it in the next election, because he was chicken to run on it this last election.

Where was he on it in this election? Where was he on September 10 on Sunday shopping? I did not hear the member for Nepean (Mr. Daigeler) say anything about Sunday shopping; that his government was going to pass the buck down. I did not hear the member for Ottawa West (Mr. Chiarelli) say he was going to pass the buck down. I did not hear the member for Middlesex (Mr. Reycraft) say he was going to pass the buck down. I dare them to say it the next time. Where were they on September 10? This was a hidden agenda of those people.

**Mr. Neumann:** You're just not honest enough to accept that your party opened up Sundays.

**Mr. Sterling:** Our party put forward the Retail Business Holidays Act in the mid-1970s and our party continues to remain committed to the Retail Business Holidays Act, which was upheld by the Supreme Court of Canada recently. We would like to sit down with the business community. We would like to sit down with the other people who are interested in this issue and try to fix up the act, but what we are not for is passing the buck, passing what we considered our responsibility in the past, down.

If we decide, as a legislative body, that we want open Sunday shopping, let's have a vote on it and do it, if that is what they want.

**Hon. Mrs. Smith:** Do you?

**Mr. Sterling:** Well, that is what the Solicitor General wants. But she wants to put it in the back door. We do not want it; but we want to vote on it. We want to vote on it in this Legislature.

Interjection.

**The Acting Speaker:** Order.

**Mr. Sterling:** The Solicitor General keeps interrupting. I am sorry, Madam Speaker.

CAOSS represents 300,000 citizens of Ontario. I will bet you that they represent a lot more children in Ontario than 300,000. These people, in spite of the "progressivity, yuppie-ness, trendiness" of this issue, which the Premier is trying to paint himself into, trying to curry the favour of the large newspapers here in Toronto, because they are going to get more business out of this because they are going to be advertising Sunday sales—and there is a vested interest in some of our newspapers in this kind of a thing going ahead—I believe the mainstream of Ontario feels that we can resist this if we get together and if we do it in a responsible manner.

How is this local option going to benefit our municipalities? I do not think it is really going to benefit them in any way.

I want to mention a couple of matters in that regard. For instance, municipal councils are going to be continually lobbied by various businesses in the area that they want more of a piece of the action, and in order to get a larger market share, which every good retailer is trying to establish in his own business, a method of doing that is opening an extra day but not allowing everybody in the municipality to open an extra day.

We have seen Paul Magder take advantage of that under the existing laws in here. The Attorney General has taken the law into his own hands and said he will not prosecute Paul Magder and the rest of the people who want to flout the existing law, even though it was upheld by the Supreme Court of Canada: The most disgusting display of the rule of law that I have seen by any Attorney General over my last 11 years in this Legislature.

The Attorney General decided unilaterally, on his own, that he would not pay any attention to the existing law. He let retailers open on the Sunday after Christmas, Boxing Day, without regard to the existing law, which is totally contrary to the rule of law. The Attorney General has no right to change the law unilaterally. It

should come back to the Legislature of Ontario if he wants to change it.

That is the yuppie kind of government we have here. We have an Attorney General who is willing to make the law without coming here to the Legislature to have a decision made on this. Then when they got in the room and could not decide on what to do, what they tried to do is pass the buck to the municipalities. That is what Bill 113 and Bill 114 are all about.

I want to talk briefly about municipal councils and how they are going to be affected by this bill. You are going to have the Paul Magders and the people who want to extend their market share coming in to see local councils. They are going to say: "You don't have to declare the whole municipality open on Sunday. Just declare my corner open and let me open on Sunday. It won't bother the rest of the people." That is what is going to happen and councils are going to be lobbied. They are going to be bombarded. They are going to be taking up a lot of their valuable time dealing with the Sunday shopping issue, instead of this particular Legislature fulfilling its responsibility and making rules here that can be applied by the municipalities.

As I mentioned before, the rules with regard to this whole matter can be changed by the municipal council. I believe that under one section of this bill, which is a bit of a joke, it says that the fine can be up to \$50,000, but it also says that the municipalities can drop that fine to a buck if they want to. They can lower the fine to one dollar.

This law not only tries to get around it and pass the buck, but also tries to give the municipalities all the tools to weasel out of the issue that possibly can be given. They do not say, "The fine is going to be this amount," or whatever. They say it can be \$50,000 or it can be one dollar. So they are going to allow people, in effect, to flout the law in municipalities, even if they do not make a formal decision to go for Sunday shopping.

We would not do that in this party. We would create the framework and the rules that would basically maintain a common pause day for people in our province.

We have heard from time to time about the situation in Alberta and Saskatchewan with Sunday shopping there. I have to say that a lot of people in Saskatchewan and Alberta, including some of the politicians, are not sure that they did the right thing out there. Experience has shown out in that particular area that the large shopping centres are drawing trade from local retailers as



far as 100 miles away. You can have what one municipality in eastern Ontario does affecting all the municipalities in eastern Ontario because of the kind of draw that it can have from various areas.

**1700**

As I mentioned before, there is no mechanism in Bill 113 to promote or to cause a public debate on any change with regard to Sunday shopping. A municipal council could, unintentionally, pass a law with regard to Sunday shopping, opening up considerable portions or all of the municipality, without really letting the public know what is going on. That could happen. That is why we have the rules in our planning legislation, so that when the municipal council changes the zoning laws, it has to let the people know that the rules around those are changing. Bill 113 says nothing about that. It may be just as important—it may be more important—than some of the zoning changes that go through. I do not see what advantages there are for any municipal council with regard to this particular bill.

Madam Speaker—sorry, Mr. Speaker, you have been changing on me back and forth, because I have gone on at some length.

I intend not to address the problems with regard to Bill 114, which is the companion piece of legislation, but it is somewhat relevant in terms of the debate on this particular bill. Bill 113 really allows the store door to open across Ontario, and Bill 114 attempts to keep as few employees as possible from crossing the threshold of that doorway. At least, that is what the government alleges.

Quite frankly, I do not believe that Bill 114 does very much for the workers of Ontario in terms of protecting their right not to go to work on Sunday, partially because I was convinced by the remarks that the Attorney General brought forward to the Ontario Court of Appeal in the Magder case when he said it did not matter what the rules were, the “subtle pressures,” which were his words, would take over, and in fact employees who refuse to come to work on Sundays would be dismissed. That is what is going to happen under Bill 114.

Neither Bill 113 nor Bill 114 prevents the problems that a retailer who is forced to stay open faces in a shopping centre. The bill pretends to state that a retailer does not need to open. It does not say anything about common expenses, which a retailer would have to pay in a shopping centre, regardless of whether he was open or not. It does not say anything about the common expenses that a retailer would have to pay to advertise in the

local paper for a Sunday sale that he was not involved in. All of these matters are not dealt with in Bill 113 or Bill 114.

How can a small retailer stay closed on Sunday if in fact the shopping centre decides to open? How can he afford to stay closed if he is required, every so often—probably every five years, as is the case in most commercial retail leases—to renegotiate his lease with the landlord? How is he expected to have the landlord negotiate in good faith with him if in fact he is obstreperous and decides that he is going to stand by his principles and not open on Sunday?

It is not possible to deal with those kinds of things in legislation. That is why we need strong provincial law which will make the rules and which can be enforced.

One of the arguments that the Solicitor General and the Attorney General have put forward on a number of occasions is that it is impossible for us to enforce the act. It is impossible for us to have an act which is enforceable. We cannot fix it up. The Retail Business Holidays Act is unenforceable. It is a very difficult situation.

Does not the same argument hold true for a municipality? Does it not hold much more true for a municipality because it has much less in the way of enforcement mechanisms to put such a law in place? They do not have the Ontario Provincial Police to rely on. A lot of townships in our province do not have large police forces to enforce such a law. They do not have the planning staff. They do not have the legislative staff to draft rules which can be maintained in courts and can be enforced in courts.

What we have here is a government which is saying, “We are going to delegate to the municipalities and, really, we probably don’t think they can do it.” We are going to have more Paul Magders across this province who are going to break municipal bylaws that are made surrounding these laws—

**Hon. Mrs. Smith:** No, the injunction will stop that.

**Mr. Sterling:** Oh sure, sure, sure. Wait and see. The legal attacks on the laws which are made by municipalities across this province will fill our courts, and the laws that they will make will be much less enforceable than the existing law which has been upheld by the Supreme Court of Canada.

I have mentioned here that Bill 114 has a tremendous lack of substance to protect workers in our situation. The group that has come together under CAOSS, labour—



**Hon. Mrs. Smith:** They are in chaos, that's for sure.

**Mr. Sterling:** The Solicitor General says those groups are in chaos. When she talks about the church leaders of the United Church of Canada, the Anglican Church of Canada and the Lutheran Church, if she wants to talk about the union leadership, if she wants to talk about the business leadership not knowing what they are doing—

**Hon. Mrs. Smith:** They picked a funny name.

**The Deputy Speaker:** Order please. Order.

**Mr. Sterling:** I feel very strongly that a group of individuals got together and put out their time voluntarily. These are people who are busy church, union and business leaders. They are busy, busy people. They have a lot of responsibility. When the executive comes together—I think there are 20 or 24 of them on the executive—and put forward their time, I think they know what they are doing. I think they believe in what they are doing and I think they are a credible group.

I am chagrined to hear the Solicitor General take them on in the manner she does, because I do not think that that is fair to them. I think they are a good group. She and the Premier have failed to respond to them in a legitimate fashion. Not only has the Premier been less than straightforward in dealing with this issue during the last election, at least he could deal with the people of the province who have put themselves into a group, under CAOSS, and said: "Let's put our voices together and let's try to get to this Premier. Let's try to work with him in a co-operative manner so that we can have this mistake reversed."

1710

You have not said anything to me about it, Mr. Speaker, but I know some of your colleagues have some concerns about this legislation, and rightly so. I only hope they will have the fortitude—and we have not seen it from very many members of the Liberal back bench—to step out and start talking in a tougher tone and show that there is some independence in that back bench, because we have not seen it. We have not seen it in committees; we have not seen it in this Legislature, save and except for the member for Etobicoke-Humber (Mr. Henderson), who from time to time does stand up as a man of his own thoughts and his own integrity and will stand up for an issue in which he believes.

I think it is to the credit of a political party to have a number of people who do that. I would like to see that on this particular issue but I really

do not hold much hope for that, in that the Premier seems to have all his 93 people in line. They seem to be willing to march to the tune, whatever that tune might be.

I hope they will listen when this bill is referred to committee and many citizens from around Ontario come to the committee. I hope the Liberal back-benchers listen for a change, because they have been yapping a lot this afternoon while I have talked on this particular bill, and I think some of them are convincing themselves that what the government has done here is good. They have not looked to the long-term effects; they have not considered the idea that perhaps we should take a second look at the existing legislation, try to fix it up to have a provincial law whereby as many Ontarians as possible can enjoy a common day of pause so they can get together with their families.

I firmly believe, and I know my caucus believes, this legislation is going to lead to a more commercial Ontario, an Ontario which does not need an extra day of commercialism. We do not need it. We have got six days now. I would prefer five days if we could do it, but I know that is not practical. I know where we are now in Ontario. We are at six days, maybe six days and a quarter, and what is going to happen is that in five years we are going to be at six days and a half; in 10 years, we will be at six and three quarters; and in 20 years, it is going to be seven days a week when we are running full tilt.

And what have we gained? We have gained nothing. It is all because this government backed into this issue. It did not know what it was doing, and it is too bad that the government does not have the intestinal fortitude to come forward and say: "We were wrong. Let's take another look at it." I am certain my caucus would give the government its full support in terms of doing that.

I think my children and my grandchildren—if I go on much longer, it might happen before I finish my speech—would enjoy an Ontario where they would be guaranteed to some degree at least one day of the week when they could get together.

This does not seem to be the only issue on which this government has dealt with the family in this manner. I think it really does call into question the whole philosophical underpinning of the Liberal Party in terms of what priorities it has in policymaking. What priorities does it have when it makes policy, be it Sunday shopping, the spouse-in-the-house rule or whatever it is? What policy does it have dealing with children and



children's welfare, dealing with the Attorney General in terms of his family law, with the enforcement of family law? What are its priorities in all those matters?

I have had an increasing number of constituents come to me over the past year who have been concerned with the fact that when this government makes policy, the family unit seems to be very low in its priority in terms of what it is doing.

We all have to keep priorities in line when we make our particular policies, and sometimes those priorities do not add up to the same policy, but I just feel that the maintenance of the family unit is getting lower and lower on this agenda, in order for us to have the Peterson dream of a yuppie Ontario.

**Mr. Neumann:** I listened with great interest to the honourable member's speech, and I think the honourable member realizes that the bill before the House does maintain a provincial framework and it maintains the enforcement of that framework at the provincial level.

I think he realizes that after the announcement that was made in December on the intention to introduce legislation, the government listened to the concerns of the people and incorporated many of those concerns in this legislation and that this legislation does not require municipalities to do anything; rather, it presents them with a clearer and more honest and more direct option at the local level than the loophole created by the previous government, which the member represents, called the tourism option.

I think the member realizes that the bill is a straightforward bill, that it closes a lot of the loopholes, that it presents the enforcement in a fairer way and that a more enforceable way of enforcing this bill will allow the flexibility that exists across the province, the diversity that exists across the province, to have municipalities meet the local needs if they wish, but it is entirely their option. They are not required to do anything; they are not forced to do anything; the provincial framework exists and sets the standard across Ontario.

**Mr. Chiarelli:** I am happy the member for Carleton (Mr. Sterling) reminded the House that today is the 11th anniversary of his election to the Legislature. I want to personally congratulate him and, I am sure, on behalf of the other members of the Ottawa-Carleton caucus.

He is a hard-working representative for his constituents; I will give him credit for that, but I do want to remind him that in the last election he lost by approximately 300 votes and I understand

Dr. Roly Armitage is still waiting in the wings for the next time.

Coming from the Ottawa area, I would like to remind the member for Carleton what the mayor of Ottawa stated after the bill was introduced. A lot of the comments are relevant after the bill was introduced and not before.

This is what Mayor Jim Durrell said, "It is better that municipalities be able to decide on their own, rather than have a decision imposed on them by the province."

I would like to remind the member for Carleton what the Ottawa Citizen said after the bill was introduced, "The decision to give regional governments the option of setting their own Sunday-shopping rules is a reasonable solution to a controversial and complicated problem."

The member referred to Alderman Mac Harb, who is co-chairman of the CAOSS committee. He recently sent me a letter, and I will quote from it:

"I would like to commend you and the government of which you are a part for the recent decision to proceed with the public hearings into this matter. The government's willingness to listen to the concerns and opinions of the people of Ontario on this issue should be noted and will not, I am sure, be forgotten. I am confident that the public hearing process will result in a solution satisfactory to the people and the government of Ontario."

That is from the co-chairman of the Coalition Against Open Sunday Shopping in the Ottawa area, and I give him a lot of respect for standing up and being counted.

**The Deputy Speaker:** The member's time is up.

**Mr. D. S. Cooke:** I also want to congratulate my colleague on his anniversary, but more particularly I want to congratulate him on what I think is not a bad speech this afternoon. I am sure it could have been much shorter had there not been so many angry interjections by the Liberals, who were hearing the truth.

I find it interesting that as this debate has gone on, there has been a claim over the last couple of days by the government that there is absolutely no change and that all this legislation does is institutionalize what has already been occurring in Ontario. Of course, we heard the truth just a couple of minutes ago from the member for Ottawa West (Mr. Chiarelli) that there is a major change, that there has been now a passing of the buck down to the municipal governments, that this issue is too hot for the provincial Liberal

government to handle, so it has decided to pass the buck to the municipalities.

1720

I found the comments of the member for Carleton on enforceability interesting; in particular, his reference to the lack of enforceability of worker protection under this bill and its companion piece of legislation. It is interesting that this bill is introduced on the one hand, and then they have to introduce a second bill to protect workers from the first bill. That is really what the second bill is all about, and the Minister of Labour (Mr. Sorbara) certainly will be defending that position in the next several weeks as we debate these pieces of legislation.

I want to congratulate the member for Carleton for shedding some light on this issue. I hope as we discuss these bills over the next numbers of days or weeks that the Liberal members of the Legislature will hear the people speak and will begin to understand the real dilemma and the need to defeat these bills.

**Mr. Pollock:** I want to join in and compliment the member for Carleton on a great speech. I think the government would do well to listen to some of his comments and take them into consideration.

I also congratulate him on his 11th anniversary. The member for Carleton makes a tremendous contribution to our caucus and, I believe, to this whole assembly. This great speech that he made this afternoon was just an indication of the contribution he makes to this assembly.

**Hon. Mrs. Smith:** I just wanted to say to the member for Carleton that I did indeed listen to his speech and make some notes. Some of the comments that he made at the very beginning of his speech, when I think he was probably staying with his original text, were worth noting.

In particular, he drew to my attention a matter that was drawn to my attention by some of my own members, which they would like to examine in committee, and I repeat what I have said before. If the committee can come up with suggestions that will make this law fairer and more enforceable, I am more than happy to look at them.

In the very beginning, I think the member was touching on some legitimate concerns about notice within municipalities and I suggest that he find out which of his caucus members will be on the committee and make his concerns known to them. We will be very glad to hear his ideas.

**Mr. Sterling:** It would not be courteous of me not to thank those who have put forward their

complimentary remarks about my speech this afternoon and who have wished me—

Interjections.

**Mr. Sterling:** I will send the member a turkey at Christmas—those who were giving me their good wishes on my 11th anniversary.

I do want to say—I think it was a slip of the tongue by the member for Ottawa West—but if I had lost to Roly Armitage by 300 votes, which the member did say, I would be the first member of the Legislature who had lost an election and was able to occupy a seat here. I think he meant I won by 300.

**Mr. D. S. Cooke:** I think that is a point of privilege.

**Mr. Sterling:** At any rate, it was a little bit more than 300 votes. I can only say to the member for Ottawa West and other members of the government back benches that I was fortunate enough in the previous elections before my constituency lines were changed—and 50 per cent of my riding was new this time—to win by 7500, 8000 and 9000 votes.

I just wanted to indicate to each and every member of the opposition that things can change. The yuppie image that the Premier has put forward will change in the next election. In the last election, people did not know about Sunday shopping. They did not know the government was going to change the law on Sunday shopping. They thought they could rely on the provincial government to maintain a common pause day, and they were fooled. I just hope they will not be fooled the next time.

**Ms. Poole:** I am pleased to rise today in support of our government's legislation, which John Coleman of the Windsor Star has so aptly described as the Liberal government's sensible Sunday shopping legislation; and sensible it is.

It makes sense to allow freedom of choice to communities; it makes sense to extend municipal control over business hours to include Sundays, and it makes sense to offer protection to all workers in Ontario on Sunday, not just those who are fortunate enough to have their stores closed on Sunday. This is sensible legislation because it is fair and it is enforceable.

All this week and throughout the debate, the opposition and third-party members have been predicting dire consequences that await Ontario's society if this legislation is passed. In reality, these fears with which my friends of the two other parties are grappling—tumbling dominoes, shopper-choked Sundays and families rent



asunder—are in fact phantom fears. They are illusions.

I guess it is not surprising that we have been hearing some members express their fears, because indeed history tends to repeat itself. As I listen to the complaints of the opposition, I find their fears surprisingly similar to those raised by others over a century ago in dealing with similar Sunday issues.

Controlling Sunday activity, telling people what they may or may not do on Sunday, or how often they may do it or where they may do it, has been the subject of public discussion since the 1800s. Our attitudes have changed and evolved since then. In fact, sometimes when we look back on some of those arguments, we find them cause for surprise, if not outright amusement.

Sunday transportation suffered through years of debate before the turn of the century. Streetcars did not run. Sunday excursions by rail and steamboat were banned. Large numbers of working-class families had no means of leaving their immediate neighbourhoods either to pursue leisure time activities or even to go to church, activities that we take for granted today. Yet in the 1800s, those same people were arguing that this was necessary to preserve a common pause day and religious observance.

Incredibly, in 1886, one man was arrested in Toronto for using his horse and buggy as a taxi to transport people to and from church. It was not until 1897, after some 20 years of debate, that the residents of this city finally had access to streetcar services on Sundays.

Moving a little closer to 1988, some members may remember several decades ago when swings and playground equipment were locked up on Sundays. It used to be illegal to operate wading pools in parks, and there were cases of police actually raiding playgrounds to confiscate bats and balls of children because games and amusements were prohibited on Sunday.

There was also a time when stores put up curtains to prevent window-shopping on Sundays. In fact, I am sure there are a few members in the House today who remember back 25 years ago, when walking down Queen Street and looking in Simpsons and Eaton's, all you could see were drawn blinds. But Ontario has changed since those days, as have our viewpoints on what constitutes appropriate Sunday behaviour.

Moving along to 1950, the pressing issue of the day was whether professional sports should be allowed on Sunday afternoon. The provincial government of the time, under Premier Leslie Frost—and I hope the members, or rather the

member of the third party is listening—introduced a bill giving municipalities the option of allowing professional sports to be played between 1:30 p.m. and 6 p.m.

**1730**

Premier Frost maintained that his government's bill placed the matter in the hands of the people themselves and under the absolute control of their elected municipal officials. He argued that there was nothing wide-open about the act, that it did nothing to induce a community to change its pattern of life. Sound familiar?

Premier Frost was right. He trusted in the inherent wisdom of local councils, in their ability to appropriately and accurately gauge the needs and values of their communities and to fashion laws that took these needs and values into account.

Inexplicably, and I really cannot understand this, his successors, my friends—or my friend—of the third party, have somehow come to believe today that they are the sole font of wisdom in this province and that local councils are no longer capable of deciding what is good for their own communities.

Opponents of the Frost government's bill predicted dire consequences if the bill was passed: the fabric of society would be ripped apart; our children would be corrupted, and there would be more people in mental hospitals.

Today, Sunday sport is an integral part of our community life. I will ask the honourable members: Does anyone there think I am corrupting my son by taking him to a Blue Jays game on Sunday?

**Mr. Furlong:** Yes, the way they played last night.

**Ms. Poole:** Actually, my son did see them play last night, but I still would be willing to take him on Sunday.

I again ask the honourable members: Were opponents of Sunday sports right when they asserted that the only people who could be in favour of Sunday sports were “gangsters, communists and foreign elements”?

Moving forward, in 1961, Ontario municipalities were given the option of allowing Sunday movies and concerts. One prominent opponent said allowing Sunday movies would hasten the spread of communism. Was he right in his claim that if Sunday movies were allowed, “You soon wouldn't be able to tell the difference between Toronto and Moscow”?

Other changes followed. In 1967, alcohol was allowed with meals; in 1968, there came Sunday afternoon horse-racing, Sunday trade shows,



fairs and exhibitions. Again, each of these changes brought controversy but, at the same time, each reflected the growing diversity of our province and today there are few who would like to see all these decisions reversed.

While controversy about Sunday shopping and Sunday legislation is not new, the province has changed dramatically since those debates of the last century. The arguments of our opponents are not original. They want to return to an Ontario which simply does not exist any more.

We are no longer a predominantly Anglo-Saxon society. Most of us live in urban areas. Most women work outside the home. Many more communities depend heavily on tourism. We need to balance the need for a fair and enforceable Sunday-closing law with the reality that a uniform act does not meet the varying needs of our communities.

I realize there has been much weeping and wailing and gnashing of teeth coming from the general area of the opposition and third-party benches, but to claim, as the members opposite do, that this legislation will lead to wide-open Sunday shopping is to ignore the evidence to the contrary.

This government has proposed a good piece of legislation, one that is carefully tailored to meet the needs of this province. It is fair, it is enforceable and it makes sense. Let's not waste any more time chasing phantom fears. I am convinced that when the people of this province understand this legislation, they will indeed support it.

**Mr. Philip:** The member talks about an evolutionary process. There is another evolutionary process that she does not talk about, which is the evolutionary process from the very century in which she starts to trace hers, which says that workers have to work six days a week, they have to work 10 and 12 hours a day and they have absolutely no kinds of controls on their leisure life. In fact, schools were started in working-class districts largely after the labour laws prevented the children from working, because they had nothing to do. They had no place for the children to go, because their parents were not at home.

Surely, what we see in this bill is not a progressive evolution but a reactionary evolution. It is a throwback, in fact, to depriving people of time that they can spend with their families. That is not the kind of evolution that we want.

The member talks about evolution. If she looks at George Land, who is one of the great

writers on social evolution, she will see he says that in many parts of the evolutionary process one can trace where a particular trend may in fact go too far, and then there has to be a retraction. I suggest to her that even if we follow her so-called evolutionary model, maybe this is one of the instances where it has gone too far.

She talks about the domino theory and says, "Well, it really won't lead to wide-open Sunday shopping," but the evidence in western Canada is to the contrary, even though, as my colleague the member for Hamilton Mountain (Mr. Charlton) has pointed out, it usually takes 10 or 15 years for the domino kind of system to work.

In fact, we already see in British Columbia that North Vancouver did not want to have its stores open. The moment that Vancouver opened, North Vancouver had to open because it was simply losing so much across the border. I just say to the member that she does not know what is going on elsewhere or she would not make that comment.

**The Deputy Speaker:** The member's time is up. The member for Durham East.

**Mr. Cureatz:** Oh, the Speaker gave me a couple more seconds. I was hoping it might expand into a few extra minutes. I would not miss the opportunity of having the privilege of responding to the comments of the member for Eglinton (Ms. Poole) about the proposed legislation.

We will be looking forward with great interest to the standing committee on administration of justice. As the member indicated to all of us, we will have an opportunity where the people of Ontario will be convinced of this great and wonderful piece of legislation brought in by the Four Ponypeople of the Calamity.

I do not think the member canvassed the last provincial election on the basis of this kind of legislation. I say to her and to all the fine people at home watching that I do not remember any Liberal back-bencher canvassing on Sunday shopping, because if one had, we, the third party, probably would not be in as bad shape as we are now.

But lo and behold, the huge Liberal majority government came in and the new people, as I have said before, were intimidated by those four people over there who know the ropes and know how to manipulate new back-benchers. That is what they are. The new people came in, and those four slipped in this little business about, "Let's dump it on the municipalities."

If they had to live it over again now, I would bet any money that when they came in with this



kind of nonsense about Sunday shopping, now that the new members have been around for six or seven months, they would finally stand up and say: "Wait a minute, fellows. We don't think that is the way to go." But they all know now that those four people who are running the show here have made the commitment and they are too embarrassed to stand up.

We, in the opposition, would be in tough shape if the Premier stood up and said: "I have made a mistake. Let's set another task force to take another look at Sunday shopping"—

**The Deputy Speaker:** The member's time is up.

**Mr. Cureatz:** But he is not going to do that, and in the next election they are going to be in big trouble over there about—

**The Deputy Speaker:** The member for Scarborough-Ellesmere.

**Mr. Faubert:** I would like to respond and I compliment the member for Eglinton on her remarks on Bill 113. I would particularly like to compliment her on her observation that times have changed and are indeed changing, and Toronto and region and many parts of Ontario are not the same as across the rest of Ontario. This is indeed a diverse province, and that is the very reason that we are putting forward the municipal option. That is why the municipal option is the better way to go.

1740

It is interesting that her observation also was that somehow the remarks of the members in opposition to this bill rise from a myth that somehow one cannot trust municipal councils. I take great exception to this. As a member of local councils for 17 years, I have always found that the local councils are directly affected by public opinion, are the barometers of public opinion and, indeed, respond more quickly to public opinion than any other level of government.

I would say that if the public opinion surveys are to be believed across this province, then any council that wished to bring in a motion to open up Sundays—because that indeed is how the legislation reads—surely if there is opposition to that, that person or those persons on council would rally the troops, would get the opposition out. If it was the decision of that municipality or the wish of that municipality that Sunday shopping not be there in that municipality, it would not pass council.

Just as an observation, an example of this happened in North York where the mayor merely wanted a six-month experiment with open

Sundays. What happened there is that the resolution was soundly defeated because the public turned out and showed its opposition to that.

On that basis, I would suggest that the local option will serve the public very well on this issue.

**The Deputy Speaker:** The member's time is up.

**Mr. Morin-Strom:** I am surprised to hear the members of the Liberal Party actually willing to put their voices on the record on this particular bill, because when it comes to their own constituents, they are putting themselves into a big hole by putting this in Hansard. The stand that the Liberal Party is taking in terms of stopping the opportunity for people to enjoy a pause day in this province is not going to reflect very well on the member for Eglinton or the other members of the Liberal Party who are talking on this issue.

Certainly this issue of trusting municipal councils is a completely bogus one when we see that the municipal councils have already passed judgement on this bill and have said the bill is a disaster. Only a small handful of the members of the Association of Municipalities of Ontario, less than 10 out of more than 400 municipalities in the province, have supported this bill. They are virtually unanimous in their opposition to the Liberals' attempt to stick them with a position that the Liberals want, which is wide-open Sunday shopping right across this province.

Interjections.

**The Deputy Speaker:** Order.

**Mr. Morin-Strom:** If that is what they believe in, why do they not stand up and admit what their policy actually is and what the consequence of this bill is going to be? I would ask the member for Eglinton to be honest with the people of this province and tell us in fact what the results of this bill are going to be once we get this passed, which they so desperately want.

**The Deputy Speaker:** Does the member for Eglinton wish to respond?

**Ms. Poole:** Yes, I do.

**Mr. Cureatz:** On a point of order, Mr. Speaker: My colleague still wanted to have the opportunity of saying something.

**The Deputy Speaker:** How much time is there? There is no more time; I am sorry. Two of the members have extended beyond the two-minute limit.

**Ms. Poole:** I would like to respond to the remarks by the member for Etobicoke-Rexdale

(Mr. Philip) to start off with. He talked about the evolutionary process and how this legislation is a throwback to other times when we were working six days per week and workers had no control over the hours they worked. Surely the member must realize that there is legislation in this province and has been for a number of years to prevent abuse of workers as far as the number of hours they work is concerned.

Surely he also realizes that with the companion legislation that is being introduced by the Minister of Labour, there is protection for workers, that they can refuse work that is unreasonable on Sunday.

He also mentioned that I obviously have not travelled much in the west if I do not realize there is evidence to the contrary concerning the domino theory. I beg to differ, but my husband's family all live in the west right now. I was to Nanaimo not too long ago. We went out on Sunday. Many of the stores were closed on Sunday. The marketplace determined who would open and who would not.

Going on to my friend the member for Durham East (Mr. Cureatz), he says that the committee will give an opportunity to help people understand the legislation. Quite frankly, it will. Both the member for Sault Ste. Marie (Mr. Morin-Strom) and the member for Durham East refer to the resolution of the Association of Municipalities of Ontario. That resolution was before we introduced the legislation. The outcry against this legislation has slowed down enormously since people understood what it is about.

Finally, I would like to mention that there is tremendous, overwhelming support in our caucus for this legislation because it gives a provincial framework, because it is fair, because it is enforceable and because it makes sense.

**The Deputy Speaker:** The member's time is up.

**Mr. Morin-Strom:** It is a pleasure to be able to address this legislation, which is going to become a very serious problem for this government in terms of its electability in the next round of provincial elections.

In this bill, Bill 113, the Ontario Liberal government has introduced a law that will allow municipalities to permit large grocery stores, department stores and other types of stores to remain open on Sundays. The Premier has obviously changed his mind since the September election, when he said that he supported a common pause day for Ontario.

During the last parliament, the minority Liberal government established a committee to

examine retail store hours. This committee, consisting of members from all three parties, held hearings throughout the province and wrote an extensive report. The total cost of the select committee was more than \$90,000 and the result of that report strongly supported the principle of maintaining a common pause day. One of the conclusions to that report was that the least-favourable option would be for the province to shirk its responsibility and transfer the decision-making to municipalities, exactly what the intent of this bill is.

**Mr. Philip:** Who signed that report?

**Mr. Morin-Strom:** We are going to get to that shortly.

British Columbia had taken that route and found that the results were considerably negative. The Solicitor General, who is now the sponsor of this bill and responsible for carrying it through this House, was a member of that select committee—in fact, as I understand it, the chief spokesman for the Liberal members on that committee—and at that time expressed strong support for the recommendation against widespread Sunday shopping. In fact, in this session as well, only a week before the Liberal flip-flop on this issue, the minister herself called the municipal option “the chicken way out.”

Now we see opposition to this bill building right across this province. Coalitions are building up to fight the bill. Recent public opinion polls show that the opposition has now grown to a majority position, much to the chagrin of the current Liberal government. With a large majority, there is no question that the Ontario Liberals do have the votes to pass anything they want, just like the Mulroney Conservative government has that kind of majority.

The real opposition, though, is in the general public. Bad legislation like this can be stopped by the rallying of public opinion. Even an arrogant majority can be made to back down, as in the case of the Mulroney plans, many of his plans, including the plan to cut pensions several years ago. I would anticipate, through the public hearing process on this bill, that the public is going to get the opportunity to voice its concerns and to rally its opposition to this bill and we will see this Liberal government back down on this legislation.

The Liberals originally wanted speedy passage of their Sunday shopping bills to be finished by the end of this spring session. They refused to agree to open hearings and public input on the legislation, hoping to pre-empt the rising storm of opposition. The New Democrats and the third



party have insisted on giving the public a say, demanding public hearings across the province. Our tactics have been able to force the Liberals to agree to full public hearings this summer.

This will provide the opposition groups with the time and the forum to build their case and to stop this government's plans.

**1750**

In my view, the essence of this issue is our quality of life. I am concerned that there must be an opportunity for families to have a day of rest, relaxation and reflection. Six days of labour should be a sufficient demand on the people of our community. Children in particular should be able to count on having parents at home for at least one day per weekend. In the case of single parents who work in department and grocery stores, Sunday shopping means many children will be deprived of valuable time with even one parent. In many cases, we have heads of single-parent families, particularly women, who are going to have to be away from their children, and those children will not have a parent with them on their Sundays.

There are, of course, some 365,000 union workers, such as steelworkers in Sault Ste. Marie, eligible to work on Sundays in industries that have continuous operations that require that type of operation seven days a week. Another 170,000 workers currently work on Sundays in restaurants, corner stores and hotels. They do qualify for an alternative day to Sunday as their day of rest, but those workers will tell you that their day off is just not the same as having Sundays off. The option of having a weekday off does not compare, in terms of family life, with being forced to work on a Sunday.

Shopping is, of course, a necessity and a good thing. There is nothing wrong with supplying our daily needs with care and attention to style and imagination. A great retailing industry out there clamours for our attention and is at our service six days a week, but surely we give away too much if we let a common pause day become just like the rest.

This government has to look at the piece of legislation it has. The members of the committee who are going to be looking at this bill over the summer in hearings here in Toronto and across the province will have the opportunity to reconsider their position on this bill, and I would certainly hope they would do so.

I have heard from many of my constituents who have expressed very serious concern about this piece of legislation, and I would just like to pass on several of their comments. I presented a

petition with 150 signatures on it from Sault Ste. Marie several days ago. I have another petition here, which I will be presenting shortly. There are several petitions, but I would like to read one of these to give an example of what a number of Sault residents are expressing in terms of their concern about this bill: "In recognition of the importance of a day of pause in our Canadian society, we ask that the Retail Business Holidays Act be maintained and strengthened; that the act remain under the jurisdiction of the Ontario Legislature rather than be transferred to local municipalities for administration."

Surely we could have done something with the current legislation about the loopholes the government members like to talk about. We could have done that by amending the current bills, rather than going forward with this new bill, Bill 113, which will result inevitably in wide-open Sunday shopping across Ontario.

I have had many Sault residents write me letters of concern about this bill, asking that we stop this government initiative. Certainly, we are doing all we can to do so. I will just read a couple of them, handwritten letters to me on this particular issue. First, a letter from Rosemary Proulx of Campbell Avenue in Sault Ste Marie:

"Dear Mr. Morin-Strom:

"I am writing in regard to the Sunday shopping issue. Being a full-time worker in the retail business, I am definitely opposed to this being identified as a regular shopping day. I feel that there are plenty of shopping hours during the week for people to take advantage of. Coming from a large family, I know and recognize Sunday as a day for the family to be with each other and it gives us a chance to enjoy the finer things in life."

I do not how government members respond to letters like that, which I am sure they are receiving as well from their constituents.

I have another one here from Linda Lafrance of Doncaster Road in Sault Ste. Marie: "I believe that the decision regarding open Sunday shopping should remain with the Ontario government and not with each municipality. Also, I am against open Sunday shopping."

We have all received a considerable amount of literature on this issue from a number of sources. I point out to you, Mr. Deputy Speaker, an example that we have here from the Waterloo Regional Sundays for People from the Kitchener-Waterloo area. I will just read its concerns about this issue:

"Sunday closing legislation is currently under fire in our community and across the province.

The Peterson government has announced that it intends to transfer the regulation of Sunday and holiday store hours to the municipalities. This decision will ultimately lead to wide-open Sunday shopping in most communities. If, for example, Guelph were to decide to allow Sunday openings, Cambridge and the Kitchener-Waterloo areas would be pressed to open as well to avoid losing retail sales to Guelph.

"Business, labour, churches, social groups and all four of our MPPs are opposed to Sunday shopping, yet the Peterson government still plans to move ahead with their proposal. This is unacceptable to the people of Ontario."

**Mr. Philip:** Who are those four MPPs?

**Mr. Morin-Strom:** Most interestingly, I hear a question, "Who are those four MPPs?" One of them is my colleague the member for Cambridge (Mr. Farnan) and the other three MPPs are MPPs from the Kitchener-Waterloo area who I understand belong to the Liberal Party.

**Mr. Philip:** Oh, my goodness; don't they love to have it both ways.

**Mr. Morin-Strom:** That is right, including the Minister of Community and Social Services (Mr. Sweeney), the member for Kitchener (Mr. D. R. Cooke) and the member for Waterloo North (Mr. Epp). One certainly has to question how the members of their party can take positions against Sunday shopping and then at the same time support such regressive, backward-looking legislation as we have here.

Another area that is very seriously concerned is the farm community. I have here a letter from the United Co-operatives of Ontario to myself, regarding Sunday business operations.

"The board of directors of United Co-operatives of Ontario has recently considered this question and, as a result, has taken the decision that they are firmly opposed to any extension of Sunday business operations beyond that currently permitted by law.

"Furthermore, we do not feel that the issue or question should be left to municipalities for a decision as that may lead to an inconsistent and chaotic set of regulations across the province.

"Many of our member co-operatives have already indicated to us that they strongly support the position outlined above. United Co-operatives of Ontario and its affiliated member co-operatives represent over 90,000 members, 2,600 employees and conducts business in 195 locations in the province of Ontario.

"We trust that all members of the provincial Legislature will give due attention and recognition to the wishes of those groups and individuals

who oppose the further extension of business operations on Sunday."

We certainly know that the opposition goes far beyond their organization. We have all heard, in particular, from the Coalition Against Open Sunday Shopping.

If ever there was a broad-based coalition on one issue, this is it. Their group includes a list of more than 200 organizations right across this province. I will just give a selection of some of the groups that are strongly in opposition to this bill.

**Mr. Cureatz:** No, I want to hear it all. I have to hear it all.

**Mr. Morin-Strom:** Well, I think we are getting close to the end of today's session so I am going to just go through a few of them: the Anglican Diocese of Toronto, the Baptist Convention, Canadian Tire Dealers' Association, the Catholic Women's League, Canadian Jewellers Association, the Canadian Shoe Retailers Association, Christian Labour Association of Canada, the Consumers' Association of Canada.

If this is supposed to be a bill that allows consumers greater opportunities for shopping, why on earth would the Consumers Association of Canada be standing in opposition to this bill?

The list goes on and on and includes the Institute for Christian Studies, the Lutheran Council of Canada, National Association of Brick Distributors, Retail Merchants Association of Canada, the Retail, Wholesale and Department Store Union, the Stratford City Centre—one of our real tourist communities—the United Senior Citizens of Ontario, the United Church of Canada, the Canadian Union of Public Employees, the employees of the province of Ontario and the United Co-operatives of Ontario, whose letter I have just read.

I think the time is done for us for this week, so at this point, I would like to adjourn the debate.

On motion by Mr. Morin-Strom, the debate was adjourned.

## BUSINESS OF THE HOUSE

**Hon. Mr. Conway:** Oh, the member for Durham East (Mr. Cureatz) has already fled the precinct. I would like, for the benefit of the member for Durham East, and others, to indicate the business of the House for the coming week.

On Monday, June 13, and Tuesday, June 14, the legislation will be dealt with in the following order: a continued second reading of Bill 113, An Act to amend the Retail Business Holidays Act, followed by second reading of Bill 114, An Act to amend the Employment Standards Act; and



following that, the resumed second-reading debate on Bill 128, An Act to amend the Planning Act, and then second readings of Bills 86, 87, 88, 124 and 148.

On Wednesday, June 15, we will consider an interim supply motion, which will be tabled by the Treasurer (Mr. R. F. Nixon), followed on that day by legislation not completed on Tuesday. On Thursday, June 16, in the morning we will consider private members' business standing in the names of the member for Durham West (Mrs. Stoner) and the member for Cambridge (Mr. Farnan).

In the afternoon of Thursday we will continue with legislation announced earlier in the statement. Any additional business will be announced, following the usual consultation.

**Mr. Breaugh:** Does it hurt so much to use the word?

**Hon. Mr. Conway:** No, it never hurts me to speak of or participate in consultation. I would also like at this time to provide early notice to honourable members and the staff that the House will not meet on Thursday, June 23.

The House adjourned at 6:01 p.m.

### ERRATUM

No.	Page	Column	Line	Should read:
71	3858	2	9	<b>Hon. Mr. Peterson:</b> My honourable friend does

**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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- |  |   |
|--|---|
| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breaugh, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Orillia L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cunningham, Dianne E. (London North PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)</p> | <p><b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)<br/> <b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaitre, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Micalash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)</p> |
|--|---|



Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)  
 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)  
 Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)  
 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reycraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)  
 Swart, Mel (Welland-Thorold NDP)  
**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)  
 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
**Ward, Hon. Christopher C.**, Minister of  
 Education (Wentworth North L)  
 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.

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Publications

No. 78

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**

Monday, June 13, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Monday, June 13, 1988

The House met at 1:31 p.m.

Prayers.

## ACCESS TO INFORMATION

**Mr. Speaker:** Just before I recognize members for members' statements: On Tuesday of last week, the member for Oshawa (Mr. Breaugh) asked if I would consider a few extra arguments related to the question of privilege presented by the member for Carleton (Mr. Sterling), on which I had just ruled. I agreed to consider this matter further and I would now like to apprise the House of that consideration.

The member for Oshawa stated that he had sat through the hearings of the standing committee considering the freedom-of-information bill at the committee stage, where "it was made abundantly clear to all members on the committee that there was nothing in this act which would infringe upon the traditional rights of members of the assembly to ask questions and to seek information."

He further stated, "It was said at the time that was not necessary"—to put forward amendments—because "this bill would not infringe in any way, shape or form on the traditional rights of members of the assembly to seek information."

On this point, the Speaker has a duty in making certain that the rights of members to seek information is not in any way abrogated. I have looked into this matter and I must conclude that the Freedom of Information and Protection of Privacy Act and the traditional method for members to seek information in this House are two distinct and separate matters.

The freedom-of-information act does not distinguish members from any other person in the general public and, therefore, members are subject to the administrative regulations attached to the act, but I fail to see how the coming into force of this act affects in any way the traditional rights of members to seek information of the government by the methods prescribed in the standing orders of this House.

The honourable member asked me as well to look into the application of section 52 of the Legislative Assembly Act, which reads as follows: "Except so far as is provided by section 40, nothing in this act shall be construed to

deprive the assembly, or a committee or a member thereof of any right, immunity, privilege or power that the assembly might otherwise have been entitled to exercise or enjoy," Revised Statutes of Ontario 1980, chapter 235, section 52; and of subsection 63(2) of the Freedom of Information and Protection of Privacy Act, which states, "This act shall not be applied to preclude access to information that is not personal information and to which access by the public was available by custom or practice immediately before this act comes into force."

Both of these sections seem to me to address the same point and have the same desired effect, that is, to preserve the ancient rights and privileges inherent to members of this Legislature. Both sections are there to preserve those rights. But again, I must say that those rights are exactly what they have always been in the matter which concerns us today, and that is the right to seek information, not the right to receive information.

The Speaker has the duty to ensure that the members' rights to seek information are preserved according to the standing orders that this House has passed in order to govern itself. Those standing orders—and the members might wish to refer themselves to standing order 88—state that an answer must be provided within a certain number of days. That is where the Speaker's duties end. It has never been the duty of any Speaker to look at the quality or the quantity of information provided.

As I have said, the Speaker is the protector of the rights of members to seek information, but is not here to give legal advice nor to advise members on the application of the law of the province. If members feel that it should be their right, under the freedom-of-information act, to seek information and not be submitted to the administrative regulations under the act, then my only advice can be, under the circumstances, that this House has it within its power to propose and adopt amendments to the act. This cannot and should not take the form of amendments to the standing orders of the House.

## MEMBERS' STATEMENTS

### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Farnan:** The Cambridge hospital board will make an announcement later this afternoon,



terminating Don Robertson as the administrator of the Cambridge Memorial Hospital. The question we must ask is this: Was the Cambridge hospital board given the choice of delivering Robertson's scalp in return for budget relief? The comprehensive Woods Gordon report, completed over several months, found the hospital to be well-run, well-managed and among the most cost-effective of the hospitals in its group.

The Cambridge Academy of Medicine, as recently as Friday last, issued a unanimous endorsement of the administration of the Cambridge Memorial Hospital, and this is broadly supported by the residents of Cambridge. It is common knowledge in the Waterloo region that the Deputy Minister of Health, Dr. Barkin, was overheard by several individuals, in a recent social setting, to remark, "I'll have Robertson's head on a platter."

This remark was made prior to the hastily contrived six-hour Stoughton report that condemned the hospital administration. This manner of vindictiveness is no way to run a ministry. It is a totally inappropriate way for a senior official to behave. It would appear that the Minister of Health (Mrs. Caplan); her deputy, Dr. Barkin; and his errand boy, Dr. Stoughton, forced the hospital board to choose between delivering the administrator's head or quality patient care for the people of Cambridge.

#### OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD

**Mr. Sterling:** Bill 109, which is an act to establish a French-language board for the regional municipality of Ottawa-Carleton, is fast becoming a cause for great concern. The introduction of this bill was supported by all members of the Legislature and by a number of groups in the Ottawa-Carleton area.

While we raised specific concerns, the concept was, nevertheless, agreed to. To assure that we were setting off on the right step, I asked the minister about the constitutionality of such a move—a unified francophone school board—and I was informed by the minister that this "legislation respects section 93 rights relating to our Constitution" and that he was not prepared to seek a referral to the courts.

I now looked to the standing committee on social development, which is meeting this afternoon, only to find out that the government is intending to introduce an amendment which calls into question the very constitutionality of this bill. What is at stake is the educational future of 15,000 to 20,000 young people in Ottawa-

Carleton and many teachers. All the while, we do not really know what the intent of this government is, nor do we have any indication that this bill will be good.

1340

#### KEITH ACTON

**Mr. Ballinger:** Last Thursday, I had the privilege of attending a testimonial dinner in the town of Whitchurch-Stouffville, which is in my riding of Durham-York, in honour of Keith Acton, the community's most famous athlete. Keith Acton was the tenacious little centre who scored two game-winning goals to help the Edmonton Oilers of the National Hockey League achieve yet another Stanley Cup, something that most of us here in this Legislature, I am sure, have dreamed about doing.

This genuine and talented young man is a classic example of how a dedicated individual, although extremely small in physical size, achieved the ultimate boyhood dream by, first, making it in the NHL and then getting his name inscribed on the much-coveted Stanley Cup this year. Thanks to the hard work and loyalty of a couple of Stouffville's progressive businessmen, Jim Mason, editor of the Stouffville Sun, and Dave Woods, owner of The Greens, a sports restaurant, Keith Acton received the much-deserved public recognition he has so rightly earned after almost a decade as a pro hockey player.

As well as being a dedicated athlete, Keith has been a tireless and public supporter of the Children's Wish Foundation of Ontario, an organization which assists terminally ill children, with his sponsoring of an annual celebrity golf tournament which is held in my riding and which attracts sports celebrities from all across Canada. I am pleased to publicly support and congratulate Keith on behalf of the residents of Durham-York, and I will look forward to seeing the new entrance sign being erected in his name, which will read, "Welcome to Whitchurch-Stouffville, home of Keith Acton."

#### OTTAWA-CARLETON FRENCH-LANGUAGE SCHOOL BOARD

**Mr. R. F. Johnston:** Mr. Speaker, you will remember, as will other members of this House, that the the member for Bruce (Mr. Elston), once the Minister of Health, was removed from that position because of his incapacity to bring forward legislation. Time and time again, he brought legislation forward and then dumped on us hundreds of amendments after the fact and



immediately before we had committee hearings. Now we have the Minister of Education (Mr. Ward) trying to replace the member for Bruce in terms of total incompetence and inefficiency.

We have had to repeal one law and bring in another in terms of Bill 76 being replaced by Bill 125. Now, as of Friday, we received over 60 pages of amendments, and another three or four today, to amend a piece of legislation we are supposed to be dealing with this afternoon in committee. Normally, we might expect a compendium to be put forward with these many amendments being brought forward, because it is bigger than your average bill; and this is a new bill.

Not only that, but as the member for Carleton (Mr. Sterling) raised, there are serious questions now raised by the government itself about the constitutionality of its own legislation. It is trying to put in a clause in this new piece of legislation which says if it is proven to be unconstitutional, one section can be lifted.

This party refuses to deal with this legislation this afternoon on this kind of basis. This is poor planning. This is a government which is incapable of bringing forward legislation. We will expect the minister perhaps to withdraw the legislation entirely and bring it forth in a package we can deal with in a reasonable fashion.

#### FUTURES PROGRAM

**Mrs. Cunningham:** It is our understanding that the government recently slashed the Ministry of Skills Development budget by \$500 million, and of that enormous cut, we understand the Futures program lost \$43 million in funding. Many of the Futures programs have helped young people across Ontario. Thousands of young people suffer from specific problems in finding work because of a lack of education or experience or because they are living in areas of the province where economic recovery has been slower.

We trust that the Futures programs, which are successful and desperately needed in many parts of this province, will not be subjected to any funding cuts. The timing of this announcement exhibits a total lack of planning and management.

Further, I wonder why the government has not announced what it plans to do with the savings from these cuts; and more important, why no assurances have been given to help other programs within the Ministry of Skills Development. The minister seems to be unaware of the realities of his Futures program for hard-to-

employ youth, as well as of those of the Transitions program for older persons who are unemployed. Both programs are in desperate need of support.

#### PHILIPPINE INDEPENDENCE DAY

**Mr. Ruprecht:** On behalf of the government of Ontario, I rise for the purpose of recognizing a special event that occurred 90 years ago, on June 12, 1898, the establishment of a free, independent, democratic republic of the Philippines. Philippine Independence Day is not only an important date in history, but it has great significance to our Canadian citizens of Filipino heritage.

In recognition of the important contributions that Canadians of Filipino heritage have made to the economic development and cultural enrichment of our province and country, the blue, red and white flag of the independent Philippines was raised in Toronto on June 12, 1988. These Philippine colours have become an international symbol of the indomitable spirit of democracy and serve as an inspiration to us all to strengthen the bonds of friendship, respect and affection we have for the Filipino community.

With us in the gallery today to help us celebrate this historic event is Rick Falco, president of the National Congress of Filipino-Canadian Associations. To him and all Filipinos, we say [remarks in Tagalog]. Congratulations.

#### YORK CENTRAL HOSPITAL

**Mr. Cousens:** I am very pleased today to rise in support of the York Central Hospital in the riding of York Centre, which also serves the people of the riding of Markham. Twenty-five years ago this year, York Central Hospital was opened to begin its service to the people of our community. This morning we celebrated with flag-raising ceremonies in communities around the hospital and at the hospital itself.

I can say this is one hospital that is serving the people of our province. I am grateful for the fact that the medical staff, the professional staff and the trustees have always had the best interests of their people at heart. Ontario's hospitals are something Ontario can be proud of, and certainly York Central is one of the best.

**Mr. Speaker:** We have completed the allotted time for members' statements. Point of order; the member for Windsor-Riverside.

#### RECOGNITION OF NATIONAL DAYS

**Mr. D. S. Cooke:** If the member for Parkdale (Mr. Ruprecht), when he raises legitimate and



important national days in the Legislature, is going to refer to and speak on behalf of the government of Ontario, I think it is an inappropriate use of members' statements. If he is going to speak on his own behalf, then it is appropriate during members' statements, but if it is on behalf of the government or the Legislature, then we will do them by unanimous consent and do a go-around for each of the caucuses. I think the way he is presenting them is inappropriate and a misuse of members' statements.

**Mr. Ruprecht:** On a point of personal privilege: I think that should be brought up with the House leaders. I think the member is quite right. Let the parties make that determination among themselves and we will certainly follow that.

Interjections.

**Mr. Speaker:** Order. The member for Windsor-Riverside has made his suggestion, which has been responded to by the member.

## ORAL QUESTIONS

### PROPERTY SPECULATION

**Mr. B. Rae:** I have a question for the Deputy Premier and Treasurer about housing speculation. The Treasurer may or may not have seen an article in the Toronto Star on Saturday that referred to a letter which had been received from somebody working within our financial sector, who claimed that as much as 15 per cent of mortgages financed by the financial institution for which he was working were being given over to people who were speculating and planning to resell within a year.

Does the Treasurer not agree that if that volume of speculation is in fact taking place in the marketplace in southern Ontario, his government has an obligation to put a stop to that kind of speculation? Surely he would agree that the effect of that activity is simply to drive other people out of the market, to make it impossible for ordinary people to purchase homes and to make it impossible for the market to work in a way that is anything like fair.

1350

**Hon. R. F. Nixon:** I did not have a chance to read Saturday's Toronto Star, but I will undertake to have a look at the letter to which the honourable member refers. Since the rest of his question is predicated on whether that sort of business practice is customary and what do I think about it, I think perhaps I will wait and see what the letter said.

**Mr. B. Rae:** Let me refer the Treasurer to two comments that have been made by two experts in the housing field, Frank Clayton and Wayne King.

As the Treasurer knows, Mr. Clayton is associated with Clayton Research Associates, which does a lot of housing market research in southern Ontario. Mr. Clayton told our researchers this morning: "We know speculation is there. Without speculators, prices wouldn't be going up this fast."

Mr. King, who is the vice-president of Brethour Research Associates, says that in his estimation in some of the downtown condo projects as many as 80 per cent of the units that are being sold are being sold to speculators and that in the suburban condo buildings as many as 50 per cent of the units are being sold in speculative activity rather than for people to live in.

This is the opinion of people who are watching the market closely and who are telling us what is going on in the market. The Treasurer can no longer turn a blind eye to this level and degree and extent of speculative bidding in the marketplace. Why does he not put a stop to it simply by bringing in a speculation tax?

**Hon. R. F. Nixon:** The honourable member knows that the thrust of the government's policy through the Ministry of Housing is to provide in this community and right across the province, where possible, an improved number of affordable units. The application of the provincial budget this year to the requirements of the ministry has been substantial. I would not say that it has grown faster than any other ministry, but it is one of those major priorities that the honourable member would be aware of. That is the thrust of government policy.

**Mr. B. Rae:** I know what the thrust of government policy is. That is why I am asking a question about why he does not change its thrust. It is not because we do not know what they are trying to do, it is because we know what they are trying to do that we are asking a question about speculation, because they are not doing anything to stop it.

When Michael Wilson brought in his capital gains holiday, the Treasurer himself said in this House—I can recall him saying it and I can recall listening to him saying it outside—"As a result of the capital gains holiday, there is going to be all kinds of speculation going on, all kinds of unproductive investment going on, and there is nothing we can do to stop it."



The Treasurer was right. The capital gains holiday has produced a bonanza of speculation.

Now that we have growing evidence, that we have all the ads in the papers for condos and most of those condos are being purchased by people who have not the slightest intention in the world of living in them, I would like to ask the Treasurer: If that is the case, and he must know by now that it is the case, why does he not simply introduce a speculation tax, which will stop that kind of totally unproductive economic activity?

**Hon. R. F. Nixon:** I have been trying to recall my comments at the time of the Michael Wilson initiative. There have been two or three federal initiatives in capital gains tax, once to remove the tax and then partly to reinstate it.

At the time, I was concerned that money would be invested in nonproductive things like condominiums in Hawaii and in Florida and artwork and things like that. While we are very interested in art, we felt that would be inappropriate.

To finally get to an answer to the honourable member's question—I thought I might as well leave it until his second supplementary—we are not planning a land speculation tax at this time.

**Mr. B. Rae:** Let me ask the Treasurer to cast his mind to a particular property, a particular set of buildings, a particular set of apartments where people are being hammered at the present time, and ask him how he can justify this hands-off, do-nothing, King Canute approach to the speculative housing binge that is now ongoing?

**Hon. R. F. Nixon:** I thought I was Marie Antoinette.

**Mr. B. Rae:** He was Marie Antoinette last week. This week he is King Canute. God only knows what he will be next week.

**Hon. R. F. Nixon:** I am working on Farouk.

**Mr. B. Rae:** He could be Farouk, whatever, it does not matter. King Farouk in a laundromat; that is about how at home he will be.

The question I have for the Treasurer involves an apartment unit at 914 Yonge Street, which is what we call a hidden condominium. It was lived in as if it was apartments, although it was registered as a condominium. Therefore, it was not covered by rental housing protection.

I would like to ask the Treasurer what he would do if he were a tenant who was told by his landlord on Friday that he had a choice and that choice was, "You either get out or you pay up to \$200,000 for an 800-foot apartment." What would his advice be to that tenant?

**Hon. R. F. Nixon:** I am always amazed at the convolutions of the business mind, both in Toronto and, I suppose, elsewhere. I cannot answer the honourable member's question. I think this is not the first instance where apartments have been condominiumized. We have certain controls in legislation over those transitions and they certainly do not provide the perfection the Leader of the Opposition seeks.

**Mr. B. Rae:** The Treasurer is wrong; there is no protection for these tenants. The Treasurer should know that in December 1987 a company named Nansa Resources began purchasing many of the units at 914 Yonge Street and, in turn, sold them less than three months later for a huge profit. For example, price increases show a jump from \$26,500 to \$40,000 on a bachelor apartment—that is nearly a 50 per cent increase—and a jump from \$32,000 to \$106,000 on a two-bedroom apartment. That is a 230 per cent increase in a very, very short time period.

The question I have for the Treasurer is this: What is he going to do to stop the speculation in units such as is going on at 914 Yonge Street? This is not some academic pursuit. This is a question that is very, very real to people who up until Friday thought they were tenants and discovered on Friday that they were not; they were living in a condo. What is the government going to do with these people?

**Mr. Speaker:** Thank you. The question has been asked.

**Hon. R. F. Nixon:** We do not have any action planned at this time, but I am sure the Ministry of Housing, which has the direct responsibility in these areas, is looking at that matter.

**Mr. B. Rae:** The fact is that the government of Ontario has turned this city into a place which more resembles Lifestyles of the Rich and Famous than it does a place where working people can live. That is precisely what the government has done. They are running fashion shows for the rich and famous on Friday, while there are 20,000 homeless people. That is what they have turned this province into and that is what they are turning this city into.

What is the government going to do for those people at 914 Yonge Street, many of them elderly and living on fixed incomes, who on Friday were told, "You either pay up or you get out"? What is the government going to do to protect them? Tell us now.

**Hon. R. F. Nixon:** There is certainly no one in this chamber on the government side who is feeling apologetic about what is happening to



Toronto. This is an excellent city and we are leading the world in many of our endeavours. We have also made application of the provincial budget to the provision of affordable housing in a way of which we really are proud. The leadership that the honourable minister is giving this endeavour is something that is commendable, and I know all members in all parties would agree with that assessment.

#### RETAIL STORE HOURS

**Mr. Brandt:** My question is for the Solicitor General and it relates to activities in her ministry that she may be able to assist the House with. I wonder if the minister could indicate whether either her ministry or any other ministry of the government she is aware of has in fact conducted any impact studies with respect to the effects of Sunday shopping on Ontario communities. Have any such studies been undertaken?

**Hon. Mrs. Smith:** Not to my knowledge.

1400

**Mr. Brandt:** In light of the fact that a recent study in the United States undertaken by a consumers' group has indicated that, in so far as the popularity of Sunday shopping is concerned, the only demand Sunday shopping appears to have with respect to consumers is that it has turned out to be the weakest shopping day of the week in the United States, that fewer people shop on that particular day; the argument put forward by many indicating that Sunday shopping is to be put in place for the convenience of consumers is obviously wrong.

What the impact of this is going to be, quite frankly, I say to the Solicitor General and to the Minister of Labour (Mr. Sorbara), is to inconvenience workers in this province. Why, in light of those kinds of statistics which are available in many jurisdictions, is the Solicitor General and her government moving forward with legislation which is obviously extremely ill-thought-out and very unpopular?

**Hon. Mrs. Smith:** I would like to remind the member for Sarnia that, for one thing, we have no idea what municipalities will decide to change in the wake of this bill. If I could judge by what the municipalities are saying at the Association of Municipalities of Ontario, there will be very little change in the shopping habits of this province after this bill is passed. There will be greater enforcement in place and less abuse of the bill. Unless AMO misleads us, they do not want to open and they certainly will not be forced to open.

I would add one other interesting comment, that the statistics we have been given by department stores which have changed in the United States are not the same statistics which were indicated by the member for Sarnia. Rather, as statistics tend to do, we found that one group of stores which was pushing for more openness had figures to validate its position and another group of stores which was pushing for less openness had statistics to validate its position.

**Mr. Brandt:** I have to say to the minister that we have seen statistics which have indicated different sets of facts, particularly emanating from her government from time to time.

As the Minister of Labour insisted on involving himself in the last question, perhaps my final supplementary on the issue of Sunday shopping could relate to his ministry, at least in part.

Again to the Solicitor General, there was an article in the London Free Press on May 28 which indicated that in Alberta, when the Sunday shopping legislation was brought in, workers were originally advised that they would not have to work on Sundays. It appears that as a result of the whole issue of Sunday shopping spreading in that province, as we predict it will here in Ontario, workers are now being hired with a very clear caveat that they must be prepared to work on Sundays.

In light of that, why is the government stubbornly holding to the fact that all it is doing is passing this on to the municipalities when it knows full well it is opening the door to wide-open Sunday shopping in Ontario?

**Hon. Mrs. Smith:** The member for Sarnia may wish at another time to address the question to the Minister of Labour, but I would comment that in my opinion, although I am not the minister, there are already thousands of people working in the retail business who, for the first time, will be protected, who never had protection with regard to Sunday working. The new people will have this protection; indeed, so will those already working. This in fact brings new protection which did not exist before in this province.

#### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Eves:** In view of the absence of the Minister of Health (Mrs. Caplan) and the Premier (Mr. Peterson), I will direct my question to the Deputy Premier.

I have some very serious concerns about the way the government has dealt with the issue surrounding Cambridge Memorial Hospital. Threats of firing, taking over the hospital and



blacklisting have come from the Ministry of Health. The ministry is demanding that the hospital board fire the administrator, Don Robertson, yet all indications are that the hospital is one of the most efficient and well-managed hospitals in the province.

It would appear that because hospital staff went public with their side of the story, the minister and deputy minister have taken the harshest of retaliatory steps towards the hospital.

Will the minister commit to this House that a public and impartial inquiry will be launched into the controversy surrounding Cambridge Memorial Hospital?

**Hon. R. F. Nixon:** No.

**Mr. Eves:** As the minister is aware, the Minister of Health sent in an investigator, one Mr. Stoughton, to look into Cambridge's deficit situation. He was appointed to do this on May 16. The Woods Gordon report on Cambridge Memorial Hospital took over three months to complete. Mr. Stoughton spent a grand total of eight hours at Cambridge hospital. It seems the implications exist that the investigator the ministry sent in needed only eight hours to do his report because his findings were already a foregone conclusion as far as the Ministry of Health is concerned. Would the minister agree with that?

**Hon. R. F. Nixon:** No, but I do feel that—oh, the member has another supplementary. I will wait.

**Mr. Eves:** If I may enlighten the Deputy Premier somewhat—at least we do get a straight answer from the Deputy Premier, which is more than I can say about the Premier—some three days before Mr. Stoughton was appointed, the Deputy Minister of Health, Dr. Martin Barkin, on May 13, 1988, blew up at a meeting of the district health councils at L'Hotel in Toronto and said, "I am going to have Don Robertson's head on a platter."

If we can confirm that in fact is what the Deputy Minister of Health said three days before the minister's investigator was appointed, would the minister not agree that he should look into removing his Deputy Minister of Health or does he condone this sort of action on the part of his civil servants?

**Hon. R. F. Nixon:** I certainly do want to say something more about the situation that the honourable member has brought to our attention. I do not agree, of course, with his assessment of the situation. I am not the Minister of Health and certainly I do not answer for her. She is quite capable of doing that on her own, as is her

deputy, who is a very competent person with a well-known record both as a medical practitioner and as a hospital administrator.

I would also like to say just a word about Mr. Stoughton, who the member says went in with some preformed ideas and eight hours later came up with his recommendation. I do not know about the time lag but I do know that Mr. Stoughton, as the chief administrator of the Toronto Hospital, has the highest possible reputation for integrity. I would say he is a servant of his profession, not of the government or any aspect of it. In this connection, I can assure the honourable member that he is taking a wrong tack if he is trying to impugn the integrity or independent ability of Mr. Stoughton.

Mr. Speaker, if you will give me just a moment, I think the member will be aware that, over a number of years, hospitals, including Cambridge Memorial Hospital, have for good and appropriate reason overspent their budget. There is no thought that the money was misallocated; far from it. All of these methods of administration are shared and inspected by the ministry from time to time. The idea that somehow or other the minister or the Treasury is looking for somebody who is misappropriating funds is totally wrong.

In the three years that I have been Treasurer, we picked up the deficits the first year. The second year we picked them up with review and, so that we would not punish those hospitals who did live within their budget, we raised their base by an additional half of one per cent, which is a lot of money when you know that billions of dollars are spent in hospital operations.

For the last two years, we have picked up the deficit, put that in the base, and even those who were able to live within the deficit we raised by a half a per cent. This year, because the former Minister of Health very properly informed the hospitals that we were improving once again the base by a substantial amount, an average of between seven and eight per cent, that we expected the administrators to live within their budget and they are now doing—

**Mr. Speaker:** Thank you very much.

1410

#### MASSEY WORKERS' BENEFITS

**Mr. Mackenzie:** I want to go back to the Treasurer of Ontario concerning the Massey retirees who have been cheated out of their benefits and his response in this House on June 1. The minister said that the Canadian Auto Workers made an agreement with Massey



Combines. Part of that agreement was to put the responsibility for the pensions and other auxiliary benefits with the company that employed them.

I know the Treasurer has had a letter from the assistant to the director of the CAW which says very clearly:

"I wish to inform you and all other honourable members that at no time did the CAW make any agreement to put the responsibility for the pensions and other auxiliary benefits of Massey-Ferguson Industries Ltd. retirees over to Massey Combines Corp. We were never consulted by either level of government or the corporation officials about the restructuring of Massey-Ferguson Industries Ltd., or were we informed about the Varsity commitment to the unfunded liability of the pension plan should Massey Combines Corp. go bankrupt."

He has included the documentation in that letter to the Treasurer. I do not think the Treasurer would deliberately lie to this House, but obviously he has misled the members of this House and I am wondering if he has some comment on it.

Interjections.

**Mr. Speaker:** Order. I listened very carefully to the member for Hamilton East. Will you withdraw your last comment?

**Mr. Mackenzie:** I will withdraw it and ask if the Treasurer has inadvertently misled the members of this House.

Interjections.

**Mr. Speaker:** Order.

**Hon. R. F. Nixon:** It is not funny, but I would like to say to the honourable member that in order for the union to proceed with its agreement that its members would accept employment with the successor company, in this case Massey Combines, that successor responsibility had to be accepted.

Certainly, any comment of mine was in no way trying to lay blame for what has happened to Massey over the last few weeks and months. The blame for that, if any, lies with the farm economy in North America, which did not respond as the rest of the economy responded. There is presently a 200 per cent overcapacity to build combines, and it so happened that the costs associated with the Brantford plant and the administration that led to the downturn in its share of the market led it into receivership.

The taxpayers of Canada and Ontario have already committed \$200 million to maintaining those jobs. The member may question the

intelligence of the people who were in government at the time that was first entered into or at the time the contract was renewed, and that is his right, but we feel that, in both instances, the best interests of the taxpayers were supported and additional employment was maintained.

All of us in this House, including the honourable member and myself, wish that it had been different, but in fact the company is now in receivership and is no longer continuing to operate as it was under its own board.

**Mr. Mackenzie:** To continue with the letter and the documents that went to the Treasurer of Ontario: "The record will show we were notified by the corporation of the restructuring of Massey-Ferguson Industries Ltd. into Varsity and Massey Combines Corp. only at the conclusion of the restructuring agreement between the corporation and the government."

It is also very clear, as the Treasurer is aware, that several hundred salaried employees lost their benefits as well and that they were never notified or consulted about the transfer of responsibility for their pensions and other auxiliary benefits to Massey Corp.

The government was part of this deal that cheated the workers at Massey; clearly part of it. The province has several million dollars in Varsity. What is the Treasurer going to do about these workers who gave their life to that company and who now find out they do not have the benefits they thought they would have when they retired?

**Hon. R. F. Nixon:** The honourable member is correct in that the auto workers were not at the table when the restructuring of the companies took place, but they did sign the agreement and unfortunately—

**Mr. B. Rae:** The successor agreement.

**Hon. R. F. Nixon:** The successor agreement is still there. The point is—

**Mr. B. Rae:** No; they did not sign. You are making the same mistake—

**Mr. Speaker:** Order. Any further response?

**Hon. R. F. Nixon:** The whole matter, as the member is aware, has resulted in the bankruptcy of the company, which is no longer in operation. Varsity, as the honourable member knows, was separated under the provisions of the agreement that the honourable member is talking about, and without that agreement the whole thing would have been in bankruptcy three years ago.

The honourable member should be aware of that. He may not be prepared to admit it, but it is the truth.



OTTAWA-CARLETON  
FRENCH-LANGUAGE SCHOOL BOARD

**Mr. Jackson:** My question is to the Minister of Education. It has to do with the constitutionality of Bill 109, his francophone school board or boards for Ottawa-Carleton.

Late last Friday, the minister sent to the opposition critics over 60 amendments, which I have in front of me now, including one which admits that any or all sections of this bill may indeed be unconstitutional, and it provides for an automatic severance from the bill of the offending clauses.

We understand as well that this weekend the minister sent to the planning committee in Ottawa specific copies of a draft proposal which would drop the one-board, two-sectors approach and provided a proposal with two separate and distinct boards. We do not know the status of the advice that that group has given the minister.

Given that these activities indicate a realization by his government that Bill 109, as it now stands, is unconstitutional, and given that the minister is scrambling to rectify the problem, will the minister tell this House how the standing committee on social development can proceed this afternoon, in less than an hour, to do clause-by-clause and approve the bill in the condition in which he has set it up this weekend?

**Hon. Mr. Ward:** I want to point out to the honourable member that yes, indeed, we did circulate a package of amendments which was distributed to both opposition caucuses to be shared with their members.

I might also point out that in my statement upon introduction of this legislation and during the course of the second-reading debate, we made it quite clear that copies would be made available for widespread public consultation within the Ottawa region and throughout Ontario.

We also made it clear that, given the time frames, many of the suggestions which came through that process of open community consultation could not be included in the bill that was printed for consideration in this House and that they would be dealt with during the course of the committee's consideration. That, indeed, has been the case.

With reference to the suggestion that a particular clause in the amendments which are being put forward in any way acknowledges or suggests any concern as to the constitutionality of the bill, I want to assure the member that that is not the case in any way, shape or form.

**Mr. Jackson:** It is the same amendment we had put in Bill 30. When our party proposed amendments to Bill 30 that would allow the voluntary amalgamation of public and separate boards, his Attorney General (Mr. Scott) said it was unconstitutional, but when the minister is now trying to force an amalgamation-type model into this bill, his Attorney General, we believe, says it is constitutional.

The minister refuses and has steadfastly refused to table any legal opinions on this matter. His Attorney General was specifically invited to provide input at the social development committee. He has refused. We were supposed to meet with him today.

**Mr. Speaker:** The supplementary?

**Mr. Jackson:** This bill affects hundreds of teachers, thousands and thousands of students, property and millions of dollars of taxes. Will the minister agree to refer this matter to the courts for appeal, to determine whether Bill 109 is constitutional, before he creates chaos with a subsequent court ruling?

**Hon. Mr. Ward:** I think there are two or three questions in the supplementary, but let me begin by indicating to the member that the bill and the proposals which are before the Legislature and the social development committee today do, in fact, provide for the establishment of an umbrella board structure in the Ottawa-Carleton community. That is what the francophone community in Ottawa-Carleton has been asking for for 20 years. His party, of course, chose to deny that over the course of the past 20 years, so it does not surprise me that today the honourable member still makes those arguments.

I will point out to the member that in our attempts to put in place a structure which has an umbrella board operation, we have done so in a manner we believe is totally constitutional, and the advice we received does in fact reinforce that.

1420

With reference to the member's point, that the clause we introduced by way of amendment is similar to one in Bill 30, I cannot speak as to why that was introduced during the course of the Bill 30 considerations. It is interesting to note, though, that although that was put there, I suppose as a precaution, it was totally unnecessary because—

**Mr. Speaker:** Thank you. Perhaps this debate can continue in committee.

Interjections.

**Mr. Speaker:** Order.



## VISITOR

**Mr. Speaker:** Just before I recognize the next questioner, I would like to draw the members' attention to the visitor we have in the upper east gallery, the federal member for Nickel Belt, John Rodriguez. Welcome.

## FARM PRODUCTS MARKETING BOARDS

**Mr. Owen:** I have a question for the Minister of Agriculture and Food. Many farmers in my area have expressed their concern with the proposed Canada/USA trade deal and the possible effect it might have on them. The minister has vocalized concern for the effect of the trade deal on the future of agricultural boards which are there to help and to protect the farmers. More recently the federal government has been bringing in people who have been trying to reassure them that they have nothing to worry about, that the boards that represent agriculture are going to be there and will be inviolate, that the government will be continuing to protect them and that they have nothing to fear.

The farmers in my area are now saying: "We're confused. Whom do we believe? What is going on?" My question to the minister is, what is the future of the boards with regard to the trade deal proposal?

**Hon. Mr. Riddell:** Let me say, first of all, that there is a tremendous amount of concern in rural Ontario about the free trade agreement, so much so that no matter where you travel in the province you see anti-free-trade signs posted here, there and all over.

We all know that marketing boards were not even supposed to be on the table in the first place, but we discovered later that they were. Then the federal government came along and said, "Fear not, marketing board producers, we will protect you by adding products to the import control list and that will be a suitable safeguard for the removal of tariffs."

What the federal government has not said is at what levels it is prepared to add products to the import control list. The federal government has told the chicken industry that it has no intentions of adding chicken products to the import control list, so members know what that will do to the producers and the processors.

The Ontario Egg Producers' Marketing Board is very concerned that the Canadian Egg Marketing Agency will be considered a public entity, and that means it will not be able to use producer levies in order to export surplus product.

There is a lot of concern. I could go on and on and talk about the concerns there are on the—

Interjections.

**Mr. Speaker:** Order. Supplementary.

**Mr. Owen:** The entire scenario of the trade deal has seen a federal government which has continually said one thing and done something completely different. I would like to ask the question: What is the outlook for maintenance of the supply management industry in these multi-lateral negotiations?

**Hon. Mr. Riddell:** The member is quite right when he says that the federal government says something and then does something different. The federal government talked about a compensation package for those producers who are going to suffer losses, so in the removal of the two-price wheat system, where we are going to lose \$45 million each and every year under the free trade agreement, the federal government comes along and says, "We'll compensate you for one year only, to the tune of \$45 million."

They still have not announced a compensation package for the grape growers down in the Niagara region, so we really do not know what the federal government is up to. I will tell members that we are working very closely with the federal government to make sure it protects the marketing boards and the supply management system.

We are trying to get assurance from the federal government that it will do that. We are also working very closely with the different producer groups to make sure that they are taking measures in the event that the supply management systems may not be kept in the same state they are in today. We are working closely with the government, the producer groups and the processors to try to protect this very important system.

## CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Farnan:** In talking to members of the hospital board at Cambridge Memorial Hospital, they had this to say: "We're being forced to dump Don"—Don Robertson, the administrator—"We're being forced to sacrifice Don."

**Mr. Speaker:** To whom are you asking the question?

**Mr. Farnan:** I am asking this of the Deputy Premier. I asked the board members, "Is there any just cause why this man should be terminated?" They said: "No, but we are being forced by the ministry. If we do not fire him, they will send in a supervisor. They will fire Robertson. They will fire the board. We are doing this in the hope that we can keep some local autonomy and we



can get the \$3 million." It used to be 30 pieces of silver; now it is \$3 million.

My question to the Deputy Premier is: Is this the way to run a ministry, with bullying and intimidation, where a man who has administrated a hospital, the most cost-effective hospital—

**Mr. Speaker:** Order. The question has been asked.

**Hon. R. F. Nixon:** I object to the terms in which the honourable member has placed his question. When he thinks about it, maybe he would even consider withdrawing some of those terms that are really unacceptable to me as a person and as a member of the government.

The answer to his question is that I am not familiar with the situation that led to the decision taken by the board—by its resolution, apparently—to terminate the employment of the administrator. Presumably, such a resolution was passed.

**Mr. Farnan:** We heard the circumstances. The deputy minister said, prior to the Stoughton report, "I'll have Robertson's head on a platter." I attended a press conference on Friday last in which the Cambridge Academy of Medicine had this to say: "As individuals, we have worked in hundreds of hospitals across Canada. We know that Cambridge Memorial Hospital is, without a doubt, one of the best-managed hospitals in Canada."

In light of the evidence that has been presented today, knowing that there has been a witchhunt for this man, a personal vendetta, will the Deputy Premier undertake a public inquiry into this termination of the administrator of Cambridge Hospital?

**Hon. R. F. Nixon:** I believe the words used by the honourable member to be untrue. I withdraw that. Let us say unnecessarily inflammatory. I do not believe that what he recounts is factual. It is not my place, but if it were, I would not undertake an investigation into the decision that has been taken by the board to terminate the employment of the administrator.

Interjections.

**Mr. Speaker:** Order. The member for Markham (Mr. Cousens) is waiting patiently.

**Mr. Brandt:** How many more administrators have to go?

**Mr. Speaker:** Order. Would the member for Sarnia (Mr. Brandt) allow the member for Markham a new question.

#### AFFORDABLE HOUSING

**Mr. Cousens:** I have a question for the Minister of Housing. Since the minister has

become Minister of Housing of this province, the housing problem has become a very serious crisis, with the vacancy rate at an unacceptable low. We are faced with an increasing number of people on the waiting lists for rent review. We are seeing fewer and fewer people being able to afford to buy a home—in Metropolitan Toronto less than four per cent.

What assurance can the Minister of Housing give this House that she is really doing something to solve these problems?

**Hon. Ms. Hošek:** I am delighted to answer the member for Markham's question. This government has taken a very significant series of steps to address the problems that people in this province face with regard to housing. One very important step is that we are systematically releasing surplus government land for the purpose of building housing that people can afford in the nonprofit sector; also affordable housing of various sorts. We are building communities that people can be proud to live in.

1430

Let me suggest to the member opposite that there are more resources that could be forthcoming in the way of land. There is a significant amount of land in this province that is owned by the federal government, and the lead that we have given in using our land and releasing it all over the province for the purpose of building affordable housing and increasing the supply of housing that people in this province need would be incredibly more significant if the federal government could be persuaded to join us.

I would suggest that the member opposite and his party are very well placed to speak very clearly to the federal government as well. We are speaking with the federal people very clearly. The member opposite and his caucus are very well placed to join us in that attempt. There is only so much land in the world—

**Mr. Reville:** How much is there?

**Hon. Ms. Hošek:** —and they are not making any more of it.

**Mr. Cousens:** We are glad to help this government with the federal government in anything that we can do to help provide housing. I happen to know that Canada Mortgage and Housing Corp. is genuinely interested in solving the problem and is trying to work with all of us. The one point that this minister has not answered—

Interjections.

**Mr. Speaker:** Order. It is time to just pause and quiet things down a bit.



**Mr. Cousens:** This minister has failed to comment on the failure. If she is really doing everything she can to help with housing, why is it that her ministry underspent its capital budget in 1987-88 by \$34 million, or 27.8 per cent? The minister can talk about the other things, and we knew she was going to do it somewhere in the question. Now she should deal with this one: Why is it that the minister is continuing to hold on to that money from last year, \$34 million, when she gets letters like this from the executive board of Strathcona Gardens, which is questioning—

**Mr. Speaker:** Order. The member has asked the question twice.

**Hon. Ms. Hošek:** In the agreement that this government signed with the city of Ottawa is a framework for dealing with issues like Strathcona Gardens. In our budget we have \$2 billion committed to building 30,000 additional units of nonprofit housing all over the province.

It seems to me extremely important for the member opposite to remember the concerns that he is trying to address. We are using our resources to make sure that nonprofit housing gets built all over the province; we are using our land; we are striking agreements with municipalities in order to create the framework within which those resources are used.

What I find extremely interesting is that the member should feel such concern in this House at this moment, when he was reported in the press not so long ago saying that all our efforts are premature. I would like the member opposite please to clarify that. Are they premature? It seems to me that what we are doing is pushing our agenda forward and making sure that housing is built in the way that will meet the needs of the people of Ontario.

**Mr. Reville:** On a point of order, Mr. Speaker: I believe the Minister of Housing may want to correct the record. She has just said there is \$2 billion in her budget. It is not correct, and I do not want the minister to be in the kind of trouble she has been in before.

Interjections.

**Mr. Speaker:** Order. There are other members who would like to ask questions.

#### DRUG ENFORCEMENT

**Mr. McGuinty:** My question is for the Solicitor General.

The tragic death of Benji Hayward of North York, who recently died of a drug overdose, has highlighted the serious drug abuse problem faced by families across Ontario. In the Ottawa-

Carleton region, illegal use of drugs is on the rise, especially the use of more dangerous drugs such as cocaine, but enforcement is down. A great deal of illegal drug use goes undetected because police simply lack the necessary resources to fight this serious problem.

Could the minister tell the Legislature how much money is currently allocated to drug enforcement and whether she has any plans to increase that amount?

**Hon. Mrs. Smith:** I would remind the member for Ottawa South that the ministry is involved in policing, one could say, in two different routes: one is directly, through the Ontario Provincial Police, and the other is indirectly, in its responsibilities for municipal policing. In the case of Ottawa and most large cities, we do not do the direct policing for these areas.

Drugs are fought on many levels, including the Royal Canadian Mounted Police on the import of drugs. With the OPP, we spend roughly \$2 million per year in our programs on drug prevention. However, I would stress that with the OPP and with the ministry itself, we recognize that particularly for children the real pressure to prevent drugs has to be in education, and in doing this we lean very heavily and our stress is on community policing. There are many policing programs directed at the community to try to impress these dangerous problems on young people and keep them out of the drug scene.

I would point out, just as an example, one program very much promoted by all police forces, called VIP—values, influences and peers—in which the police work in conjunction with schoolteachers and other interested adults in a program for grade-school-aged children. They try to stress with these young people that they must stand firm in their resolve to stay out of drugs and out of other crime influences. Much work is done. This is probably the most important thrust in policing today.

**Mr. McGuinty:** Is the minister prepared to consider providing municipalities with extra funds specifically to deal with street-level drug abuse?

**Hon. Mrs. Smith:** The ministry does not get involved at all in the priorities of spending within municipal police forces. This is the responsibility of the police commissions, of which the member is well aware. In this area also, we give a per person grant to the municipalities. It is with regard to that the police commissions of the local police forces make their priority decisions on which programs to fund and to what level.



No, we would not be getting directly into providing targeted funds in this, as indeed we do not in any. The one exception to that was a very brief two-year assist to municipalities in getting the Reduce Impaired Driving Everywhere program started, but this was done very much as an exception, as far as targeting money for municipal police forces was concerned.

#### CFTO LABOUR DISPUTE

**Mr. Reville:** My question is to the Deputy Premier. He will be aware that last week my leader and I called for the government to take a stand against union-busting and pull its advertising off CFTO. This Saturday we read in the Toronto Star this quote from Douglas Bassett: "The Premier called me himself to assure me that the government would not be pulling any ads. No one is cancelling, no one is reacting at all. Everything is running smoothly, as usual."

I wonder whether the Deputy Premier would like to make things run a little less smoothly for this union-buster and pull the government ads.

**Hon. R. F. Nixon:** I did not get a chance to read that report, as a matter of fact, and I think it would be somewhat unwise of me to comment on the matter.

**Mr. Reville:** I happen to know that the Toronto Star does go to Earl's Shell Service.

**Hon. R. F. Nixon:** Not Earl's; we have another publication there.

**Mr. Reville:** Right. For those who like pictures, obviously. In any event, \$204,000 will be spent by the government next month on CFTO ads. One series of ads, Ministry of Agriculture and Food ads, are scheduled to begin on June 27.

Some people at McKim Advertising, which in fact negotiates these ads for the government, indicate that there is an "out" clause—an o-u-t clause—that would require a 28-day notice period. Will the Deputy Premier now give that notice period and ensure that the government is not conniving at union busting?

**Hon. R. F. Nixon:** I do not think it is appropriate for me to say yes in that regard, it is beyond my powers. The honourable member did indicate that there are contracts that have to be fulfilled. He talks about an "out"—an o-u-t clause—and I am not familiar with that.

[Later]

**Mr. Speaker:** A point of privilege, the member for Riverdale.

**Mr. Reville:** I would like to correct the record, Mr. Speaker.

**Mr. Speaker:** A point of personal explanation then.

**Mr. Reville:** In my fever I said "June 27." I should have said July 27. There is plenty of time for the government to withdraw those ads.

1440

#### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Brandt:** My question is to the Deputy Premier. It is with respect to the series of events that surround the position of Don Robertson at Cambridge Memorial Hospital and the questions that have been raised already with the Deputy Premier in respect to the request by both opposition parties to have some kind of an inquiry held into the events that led up to his losing his position. I would like to remind the Deputy Premier that this was a hospital which very clearly had a good track record, according to any objective consulting analysis that was taken of that hospital with respect to its operations.

Does the Deputy Premier not find it passing strange that this board has now come to a conclusion, subtly and not so subtly, perhaps, influenced by this government, and that it finally resulted in this man's losing his job as a result of a deficit which was brought about for no other reason than servicing pressures in that particular hospital?

**Hon. R. F. Nixon:** I have already responded to a previous question, indicating the way the deficit had been handled in the past by building the increased costs into the base and then adding subsequent amounts of money from the previous year. I think the problem the ministry had with the board and administration of that hospital is that they found it impossible to live within their budget. The ministry was no doubt aware of the fact that, like many communities, Cambridge was growing very rapidly, but it was not prepared to automatically provide the money on a continuing basis, on the basis of budget overruns for programs that had not been approved by the ministry and therefore were not part of the ministry's overall plan of providing service and adequate funding.

**Mr. Brandt:** Preliminary reports would indicate that all of the hospitals in Ontario that are operating at a deficit are well administered and well run. They have some difficulties in meeting your budget targets, certainly, but they are well administered.

It is interesting to note that with respect to Mr. Robertson, the indications are that he was a highly capable individual who was well regarded by both his peers and the senior administrative



team that he worked with. In addition, some two or three weeks ago I had occasion to speak to another hospital administrator, whose name I shall not release in this House for fear some retaliation will be brought against this individual as well.

Interjections.

**Mr. Brandt:** Don't deny it. The fact of the matter is right in front of you.

I want to tell the Deputy Premier that this hospital administrator, and I will quote him accurately, indicated to me that if Don Robertson's job cannot be saved and if he is found at fault for the operation of Cambridge Memorial Hospital, then there is no hope for a lot of other hospital administrators in this province. He had nothing but the highest regard and the deepest respect for Mr. Robertson and had worked with that man for years.

How can the Deputy Premier's government stonewall this issue and not take a look into the circumstances that surrounded this man's losing his job?

**Hon. R. F. Nixon:** The resolution was passed by the board of the Cambridge Memorial Hospital, and whether or not the honourable member is true in his assertion, that has been echoed by others, that somehow or other the board did not have any responsibility other than that which was dictated to it, I am not aware of that, but I do not believe that to be so.

#### SEXUAL ASSAULT

**Mr. Callahan:** I would like to ask the supplementary that I was not able to ask on the last occasion because time ran out. It is directed to the minister responsible for women's issues. I believe, just by way of background, the minister had replied to my question by indicating that we did in fact own the scripts or the tapes for the sexual assault commercials.

I would like to ask whether or not these announcements or these videos are being shown on TVOntario and/or cable television?

**Hon. Mr. Sorbara:** It was a good initial question, last Thursday I think it was, and it is a good supplementary.

I tell my friend the member for Brampton South that indeed the Ontario women's directorate of the government of Ontario does have the rights to those commercials. Following upon a suggestion, we have and are currently investigating with TVOntario as to whether or not it would be interested in running those advertisements.

The advertisements are proving to be very effective. Many people across the province have

now seen them, and we think TVOntario might be an appropriate vehicle. Obviously, they are independent and will make the decision as to whether or not they perhaps want to incorporate them into a larger public service initiative on the whole question of sexual assault. My understanding, however, is that according to the guidelines they have for the rebroadcast of this type of material, our material would qualify and so we are going to pursue that.

**Mr. Callahan:** In light of the fact that these commercials are extremely effective, in light of the amount of money that was spent in producing them and also recognizing the fact that I think all members of the House consider it to be a matter of extreme importance that the message get out to as many people as possible, perhaps the minister might discuss it with his colleague the Minister of Education (Mr. Ward) and these messages might be made available in some appropriate form for young people in our secondary schools in order that they will approach the entire issue in a different way than adults have in the past.

**Hon. Mr. Sorbara:** The member is absolutely right. The whole issue of sexual assault is certainly one we have to confront in new ways. In fact, the theme of that campaign is that sexual assault is a crime, and that is very explicit within the materials.

Indeed, I will take up his suggestion. As I understand it, he is suggesting that we initiate discussions with my colleague the Minister of Education and find out whether it would be appropriate to use those materials in the schools. Certainly, we would not have any objection to that.

In another vein, I should point out that following upon the campaign a number of ministries will be getting together to determine where government collectively ought to go on this question.

**Mr. Jackson:** You won't listen to the victims, that's your problem.

**Hon. Mr. Sorbara:** I hear my friend the member for Burlington South (Mr. Jackson) shouting across the floor about holding committee hearings. His view is that this House should take a travelling road show around the province so that he and a few of his friends can go on tour during the summer. We have not—

**Mr. Speaker:** Thank you. Interjections are out of order and they should be disregarded.

#### CANADIAN SHIELD SPRING WATER CO. LTD.

**Mr. Wildman:** I have a question for the Minister of Industry, Trade and Technology with



regard to the investment by the Ontario Centre for Resource Machinery Technology in Canadian Shield Spring Water Co. of Sault Ste. Marie, an investment of exactly \$300,000.

Can the minister explain: (1) why the resource technology centre is investing in a bottling company and what kind of resource technology is involved; and (2) why is it investing in this company at the very time that the Ministry of the Environment is investigating and trying to determine what can be done about the fact that the well being used by this company is apparently depleting the water supply of a number of residents in the area and the company is not willing to do anything about it?

**Hon. Mr. Kwinter:** I thank the member for the question. I really cannot tell him the details of that particular transaction, but I would be very happy to look into it and report back to him.

### PETITIONS

#### ONTARIO PROVINCIAL POLICE DETACHMENT

**Mr. Laughren:** I have a petition signed by residents of Onaping Falls and surrounding district concerning the potential closure of the Dowling Ontario Provincial Police detachment station. These people are opposed to the closure. While it is not really in its proper form, I knew you would want to have it anyway, Mr. Speaker.

**Mr. Speaker:** I will check it out.

1450

#### RETAIL STORE HOURS

**Mr. Brandt:** I have a petition to the Lieutenant Governor in Council, signed by 165 persons from Windsor and area, which reads, in part, as follows:

"Fight back if you are against Sunday shopping."

I have another petition to the Lieutenant Governor in Council, signed by 1,419 persons from the Pickering Shopping Centre, which reads, in part, as follows:

"We believe in the importance of keeping Sunday as a common pause day so that all people may have physical, spiritual and social health. We are concerned about the quality of life and the wellbeing of the people of our province, and we object to the further commercializing of life through the Liberal government's proposed Sunday shopping legislation."

I have a third petition, a rather substantial one in term of numbers. It is addressed to the Lieutenant Governor in Council, signed by 7,108

persons from southwestern Ontario, and reads, in part, as follows:

"SOS. Save our Sundays."

**Mr. J. M. Johnson:** I have a petition addressed to the Lieutenant Governor in Council, signed by 89 persons from Sacred Heart Parish in Rockwood, Ontario, which reads, in part, as follows:

"We believe that legislative authority regarding Sunday shopping should remain the responsibility of the provincial government, and we do not support the extension of Sunday shopping."

I too have signed the petition.

I also have one more petition for the Lieutenant Governor in Council, signed by 44 persons from Guelph and area, which reads, in part, as follows:

"We, the undersigned, are opposed to any legislation which would further commercialize Sunday by extending Sunday shopping. We believe legislative authority regarding Sunday shopping should remain the responsibility of the provincial government."

I too have signed that.

#### MASSEY WORKERS' BENEFITS

**Mr. Neumann:** I have a petition signed by 127 individuals from the Brantford area. It reads as follows:

"To the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, are salaried retirees who lost our health and welfare benefits as a result of Massey Combines Corp. being placed in receivership. We are petitioning that the appropriate provincial ministry or ministries vigorously investigate and report to all such salaried retirees the propriety of the loss of such benefits, which we had reason to believe were secured and paid-up benefits."

I add my name to the petition and present it.

#### RETAIL STORE HOURS

**Mr. Morin-Strom:** I have a petition signed by 50 residents of the city of Sault Ste. Marie. It reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"In recognition of the importance of a day of pause in our Canadian society, we ask that the Retail Business Holidays Act be maintained and strengthened; that the act remain under the jurisdiction of the Ontario Legislature rather than be transferred to local municipalities for administration."



I have affixed my signature to the petition and support it and hope the government will act on it.

**Mrs. Cunningham:** I have a petition for the Lieutenant Governor in Council, signed by 14 persons from Rowland Hill Ltd. Footwear in London, Ontario, and it reads, in part, as follows:

"How could we ever have placed Ontario in the hands of such weak leadership?"

I have affixed my signature to that one. I have a further petition for the Lieutenant Governor in Council, signed by 1,039 persons from London and area, which reads, in part, as follows:

"I am strongly against opening on Sundays. Sundays are for relaxation and families, not shopping."

I have signed that as indicated. My final petition is for the Lieutenant Governor in Council, and it is signed by 108 persons from the Ontario Street United Church in Clinton, Ontario. It reads, in part, as follows:

"We, the undersigned, oppose further expansion of Sunday shopping" and further want "to protect Sunday as the traditional day for rest, worship and family activity."

I have signed it as required.

**Mr. Allen:** I have a petition to the Lieutenant Governor and the Legislative Assembly of Ontario from 52 residents of Hamilton:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Let's not leave this issue to the municipalities. This is the responsibility of the provincial government. I say no to Sunday openings."

I have affixed my signature to that petition.

I have another which reads in a similar fashion, but it is signed by the members of Garside Church in Hamilton, who are endorsing the same message. There are 78 signatures on this petition. I have signed this petition also and certainly do support it.

I have as well the following petition to the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We wish to add our voices to the growing concern over Sunday shopping.

"We strongly oppose Sunday openings. We are not concerned about Sunday shopping. We are concerned about having to work on Sundays.

"We believe the Ontario government must act to maintain Sunday as a common pause day. The decision to remain closed and to enforce closings must be made at the provincial level."

It is signed by 17 residents of Hamilton.

Finally, to the Lieutenant Governor and the Legislative Assembly of Ontario, I have the following petition:

"We urge the Liberal government not to proceed according to its recent statements of intent, but instead urge it to maintain and strengthen the Retail Business Holidays Act; to retain under provincial jurisdiction legislation regulating Sunday work hours; to not pass the buck to municipal governments on this issue, and to give effect to a common pause day for working people and working families in Ontario."

This is signed on two sheets by three separate signatures, and I have affixed my signature to those petitions as well.

## REPORT BY COMMITTEE

### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. Adams from the standing committee on social development presented the committee's report and moved its adoption:

Your committee begs to report the following bill as amended:

Bill 107, An Act to amend the Child and Family Services Act, 1984.

Motion agreed to.

Bill ordered for third reading.

## INTRODUCTION OF BILLS

### INSURANCE STATUTE LAW AMENDMENT ACT

Hon. R. F. Nixon moved first reading of Bill 155, An Act to amend certain Acts respecting Insurance.

Motion agreed to.

**Hon. R. F. Nixon:** Those provisions are designed to increase consumer protection regarding automobile insurance and to strengthen the regulatory system governing insurers in Ontario.

### EMPLOYMENT STANDARDS AMENDMENT ACT

Mr. Mackenzie moved first reading of Bill 156, An Act to amend the Employment Standards Act.

Motion agreed to.

**Mr. Mackenzie:** The bill provides that the minimum wage cannot be less than 65 per cent of the previous year's industrial aggregate average wage for Ontario as published by Statistics Canada.



## MORAVIAN TEMPLE CORPORATION ACT

Mr. Reycraft moved first reading of Bill Pr44, An Act to revive Moravian Temple Corporation.

Motion agreed to.

1500

## ORDERS OF THE DAY

RETAIL BUSINESS HOLIDAYS  
AMENDMENT ACT

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**Mr. Speaker:** I believe the member for Sault Ste. Marie had some more comments to make.

**Mr. Morin-Strom:** I appreciate the opportunity to continue the debate on this bill which has given the province the right to establish Sunday as a working day in retail establishments across Ontario.

Last Thursday, when the debate on this bill was adjourned, I had been commenting about the broad-based opposition to this bill that has been expressed by the Coalition Against Open Sunday Shopping. This organization includes a wide-ranging group of associations, labour unions and church groups right across this province, and I had listed a number of them.

They have made very serious critiques of the Retail Business Holidays Amendment Act, and I think many of their points should be brought to the attention of the public so that we better understand what is implied by this bill that is being introduced by the current government.

One of the most serious areas of concern is the protection of workers against being forced to work on Sunday and being taken away from their families on what has traditionally been a day of rest. In the area of labour protection, they make some very valid points. This government has not realistically addressed the concerns of workers about having to work on Sundays and holidays.

The Minister of Labour (Mr. Sorbara) introduced the Employment Standards Amendment Act to "create new protections for employees of retail business establishments that open Sundays." Representatives of employers and union and nonunion employees know that the complaint system used under the Employment Standards Act is unworkable for the Sunday shopping issue.

In Ontario today, there are approximately 250,000 retail workers, full-time and part-time, of whom some 20 per cent are unionized. The 50,000 who belong to unions are mainly employed by large retailers. The other 200,000

work largely in retail outlets that have 1 to 20 employees and do not have the same kind of protections that union membership gives the workers in those larger establishments. Experience tells us that, for nonunion, small retail employees, the complaint mechanism is unlikely to be used, and that, even for unionized employees, the complaint mechanism is very unlikely to be successful.

I would like to illustrate some of the problems with the complaint mechanism. They involve the fact that the refusal to work on Sundays, under this legislation, has to be "reasonable." Bill 114 defines what a referee may consider reasonable and, therefore, what is reasonable for an employment standards officer, a worker or an employer. Some of these definitions really provide the loopholes that ensure that it is virtually impossible to avoid having to go into work on Sunday.

The definition says that it is unreasonable for a union member to refuse work on Sunday if there is a collective agreement that addresses Sunday work, even if that collective agreement does not deal specifically with a set of personal circumstances. Therefore, the protections that might be afforded to nonunion members are not given to union members.

They also state that it is unreasonable to refuse Sunday work if a premium is paid for that work. The Ministry of Labour makes the assumption that family values and personal friendships, fellowship and relaxation have a price; that to refuse time-and-a-half pay to be with a spouse or children demonstrates, in the government's view, an unreasonable attitude towards the work ethic.

The bill also states that it is unreasonable to refuse Sunday work if another employee has worked; it is unreasonable to refuse to work Sundays if the employee has also refused on previous Sundays; it is unreasonable to refuse Sunday work if the employer claims that an employee is irreplaceable, and it is unreasonable to refuse Sunday work if the employer claims it is an emergency.

Surely it is unreasonable that we would require retail employees to work every Sunday. However, under the conditions listed above, there are hardly any grounds upon which employees can refuse to work and successfully defend themselves at an adjudication of their case. Clearly, these kinds of loopholes leave the employees vulnerable and lacking the power to be able to make the determination that they would like to be with their families and not to work on Sundays.



The presentation from the Coalition Against Open Sunday Shopping goes into a number of matters which, I am sure, are going to be addressed by further speakers from our party on this very important issue.

One of the situations that was most interesting for me was that when I was with the standing committee on government agencies, we had the opportunity back in March to spend a couple of days at the Massachusetts Legislature. One of the issues we asked about was how they addressed the issue of Sunday shopping. In Massachusetts, they have in their legislation ironclad guarantees that Sunday work is to be voluntary.

There is no such principle in this bill and, in fact, the loopholes in the kind of language I have just indicated in terms of what is defined as unreasonable in refusal to work on Sunday allows that there is no principle of voluntarism at all in terms of Sunday work, but that everyone who is a retail worker will be subject to forced Sunday working.

As well, in Massachusetts anyone who works on Sunday is guaranteed and fully paid a 50 per cent premium on the regular wages. That indicates the kind of penalty employers are subject to when they make the decision to operate on Sundays. If an employer in a retail firm decides he wants to operate on Sunday, he should have to pay a major premium to his employees.

Certainly, if the kinds of factors that they have in Massachusetts were included in the legislation here in Ontario, we would probably have a very different reaction to this bill from the employees of that sector of our economy today.

At this time, I would like to conclude by saying I look forward to the hearings that are going to take place on this issue. I would welcome individuals across the province to come out to those hearings as they go to the various communities in Ontario. I expect to be a part of at least some of those hearings, and I would think that if this government is sensitive at all to the serious concerns of the workers of this province and the concerns of others who have put a high value on the need for a day of rest when, as much as possible, families are allowed to be together, we will see the most significant fight this government has seen on any piece of legislation it has introduced yet in this session.

I will look forward to that debate and I will look forward, hopefully, to this government coming to its senses and withdrawing this piece of legislation.

1510

**Mr. Runciman:** I want to put a few comments on the record in respect to this legislation. I would like to respond briefly to something that the government whip, the member for Middlesex (Mr. Reycraft), mentioned last week. In one of the two-minute responses to a speaker, he made reference to the fact that quite a number of Ontarians are currently working on Sundays and that he had difficulty understanding the concerns of the opposition parties and others in this province with respect to the negative impact this legislation could have on the quality of life in the province.

I have to assume, based on his comments, that he is one who has not had to work on many Sundays during his working life. No doubt there are a great many people working on Sundays, but they are not working by choice; they are working on Sundays simply because they are required to, because their occupation, profession, place of employment, what have you, requires them to work on Sundays. If they had their druthers, obviously they would be at home with their families.

As one who did work for a considerable number of years on shift work and had to work Sundays during the better part of the growing years of my children, I can tell you quite clearly that missing those opportunities to be home on weekends with your children during their formative years is certainly something I and my family have suffered for, as have countless thousands of other Ontarians.

To suggest that because some in our society are required to work on Sundays, it is OK for the rest of the people; for this government to, in effect, mandate and in some instances in a very indirect fashion require those in the retail sector especially to work on Sundays because others are doing it, is simply a comment that is nothing less than off the wall from someone who obviously has not had that experience in his own life and cannot appreciate the impact it has on one's relationship with family and friends.

It was mentioned last week as well, when we were talking about eastern Ontario—Mr. Speaker, you will be familiar with this—that the mayor of Cornwall, who attempted to secure the Liberal nomination prior to the last provincial election and was unsuccessful, has taken up the torch, if you will, in that community in leading the fight against Sunday shopping. I found it interesting, because in my own community the Liberal candidate who ran against me, Jim Jordan, a retired director of the separate school system in Leeds-Grenville, has also taken on the



challenge of heading up the Coalition Against Open Sunday Shopping organization in my area and, I understand, is doing a fine job.

It is interesting that we have these individuals who had ambitions to become candidates for the Liberal Party taking very public positions in opposition to this government's initiative with respect to Sunday shopping. Some of the members who were fortunate and indeed gained seats in this Legislature are not taking similar stands. I guess we have talked about ambition in the past and the fact that they all hold out hopes and aspirations that at some point in the distant future—perhaps, in some instances, not-too-distant future—they will gain entry to the executive council.

I want to indicate that they have only three years in which to do that. Based on their current performance to date, they are not going to be returning to office three years from now. They are offending a great deal of the electorate; with their budget, this kind of initiative and others they are taking, they are simply not going to be around to gain office again three years from now. So they should take an independent stand, follow the lead of the member for Etobicoke-Humber (Mr. Henderson), who, on a regular basis, stands up and expresses views that are reflective of the people of his riding.

He is not simply here to act as a rubber stamp or to endorse what the three or four key players in the front bench tell him to endorse, unlike the Solicitor General (Mrs. Smith), who, two weeks prior to the Premier (Mr. Peterson) making his announcement—she has heard this ad nauseam, I am sure, but we are going to continue to remind her—stood up and said this kind of legislation would not be appropriate, it was “the chicken way out,” to use her phrase. A couple of weeks later, the Premier surprised her. Not just her: I gather the bulk of his cabinet colleagues as well as his caucus.

Shades of days gone by. We were told this new government was going to be a consultative government and certainly would not be making decisions based on the reflections of one individual, who let the party or his coffee club or a clutch of advisers—

**Mr. J. B. Nixon:** Remember Bette Stephenson and the amendment regarding separate schools.

**Mr. Runciman:** That is what I am saying; shades of days gone by. We could say *déjà vu*. We thought this was a whole new broom; we were going to see all sorts of things occurring in a different fashion, but that has not been the case in

this instance, where the Premier had the effrontery to come up with a radically different prescription than his own Solicitor General.

She, as a member of the select committee on retail store hours, supported the common pause day concept. She had it thrown in her face by the Premier. Regrettably, she did not stand up to that challenge. I have suggested why she may not have. She is in a rather comfortable pew. She has all of the perks that go along with that position, as well as some influence, indeed, in other areas related to her portfolio. Obviously, her influence is somewhat diminished based on what has transpired in this instance, but we would assume that with the title goes some influence in respect to decisions made within that ministry.

Obviously, the minister has suffered some embarrassment and it has had an impact in her own community. We saw that, of course, in the by-election in London North, where this issue was a major bone of contention and had an impact. We even saw, in the *London Free Press* on Wednesday, June 8, that the Solicitor General has now gotten herself into a feud with the mayor. She is advising the mayor to go home and look after his baby instead of being concerned about this issue which is going to have a major impact in municipalities across this province.

The Solicitor General had the effrontery herself—I could use a different word, but I am going to be procedurally correct today—to say: “Go home and look after your baby. Don’t bother yourself with this sort of thing.” What does the mayor say to that? The mayor of London, the home town of the Solicitor General, said: “The government is being dishonest. I have said publicly all along that the municipal option is dishonest. If pressure comes from the townships, London will have to open to protect its tax base.”

Interjection.

**Mr. Runciman:** The Minister of Municipal Affairs (Mr. Eakins) is saying that the mayor has not read the bill. It is a slap in the face to the mayor of London to suggest that he has taken this position without even reading the bill. I have more confidence in the mayor and his abilities than to suggest what the minister has suggested. It is on the record: the minister has suggested that the mayor of the city of London had not read the bill before he expressed his concern. We will make sure he is aware of the minister's views on the subject. We will make sure he receives a copy of Hansard.

Further, the mayor of London says, “Ontario municipalities are unanimously opposed to the local option and are offering to sit down with the



province to come up with a workable solution in defining the so-called tourist exemption."

I wish him luck. We talk about consultation. Of course, the Premier and the Solicitor General have talked about consultation on a number of occasions, but the proof is in the pudding, and CAOSS, the umbrella group for the opponents of this legislation, has been refused an audience with the Premier.

On March 21, CAOSS sent a letter—and the Solicitor General received a copy of it—requesting a meeting with the Premier; but the Premier did not even give the courtesy of a reply. Can you imagine that, Mr. Speaker? A significant group which involves a great number of supporters of his own party, some aspirants for candidacy for his party, the Liberal Party of Ontario in the last provincial election, and the Premier will not even give them the courtesy of a reply, let alone a hearing.

1520

The Premier's only movement to this date has been a computerized form letter, and that is in response to an earlier letter from CAOSS dated February 10. In the form letter, he stated: "No new legislation has been introduced as yet, and we are currently consulting with a number of groups on this important subject. Please be assured your views will receive my careful consideration."

We are all asking: Whom did they consult and how does total evasion constitute careful consideration? If the Liberals have an open and consultative government, what is a closed one? As CAOSS has noted, the government's listening skills are severely underdeveloped on the Sunday shopping issue.

We know they have received about 70,000 petitions against Sunday shopping through our office alone. We do not know how many they have received through members of their own party or through the official opposition and through other sources, but we know that they are certainly significant.

Despite that, the government is determined and dogmatic—it cannot be described in any other fashion—about its decision to inflict its own prejudices, or at least its leader's prejudices, and injustices upon the people it has refused to meet with and discuss this issue with.

I want to talk a bit about the lack of consultation, as well, in respect to some of the amendments that the minister and the government have introduced which fly in the face of a number of earlier promises of the Liberal Party

and government. I would like, for the record, to review some of those promises.

In opposition the Liberals were against expanded Sunday shopping. During the 1985 election campaign, and up to November 1985, the Premier stated categorically that the Liberal government would not abandon the common pause day. In December 1986 the Liberals said they felt the current laws should be upheld.

In January 1987, although Sunday shopping had already been analysed by the Progressive Conservative task force, the Liberals sent the issue to a standing committee of the Legislature for study. The committee issued its report in May 1987. The Solicitor General sat on that committee. It recommended that Sunday be maintained as a common pause day and rejected the notion of a wide-open Sunday for the harm that would incur on family life and recreational pursuits. That was an all-party committee.

In November 1987, as I mentioned earlier, the Solicitor General made her infamous comment that the municipal option would be the chicken way out.

So what have the Liberals done? They have changed their tactics and reasoning entirely and have decided that their previous promises and commitments were unimportant. They have refused to accept responsibility in resolving the Sunday shopping issue and have, as the Solicitor General suggested, taken the chicken way out.

What compelling factors caused the Premier to change his mind? So far there is no clear explanation. It appears to be a classic case of the Premier's absolving himself of responsibility for controlling a sticky situation, one which, historically, has fallen under provincial jurisdiction.

We will never know, perhaps, just how the Premier arrived at that decision or who the significant influencing force or forces were in respect to him arriving at that decision. I really do not know. He did not talk to anyone, obviously, or to very few people. He obviously did not confer with his cabinet, his Solicitor General or his caucus in arriving at the decision.

Perhaps we will never know, unlike another decision made by a previous Premier referred to by one of the back-benchers for the government. We thought that times had changed, but obviously we are still dealing with an individual who wants to make decisions in a rather authoritarian manner.

I want to talk briefly about some of the arguments against Sunday shopping, and there are all kinds of them and I could probably go on at length, but I know other members want to have

an opportunity at least to put some views on record. I know my friend the member for Eglinton (Ms. Poole) has been patiently waiting in here day after day to give her differing views. Maybe I should keep on talking, as a matter of fact. No, I will not do that to the member. I will be a few more minutes, though.

I want to put on the record at least a number of the arguments against Sunday shopping. Hopefully, I will not be running over a lot of ground that has been mentioned before.

We have obviously been talking about the quality of life being impaired, something that the government whip takes issue with without having experienced the same kinds of problems himself, I suspect.

With this legislation, many parents will need to work. Particularly difficult situations will arise for single parents who work in the retail sector, more than half of whom are women. They will have lost their only day to be with their children, and some will have to find and pay for additional day care services. Not only is this bad for parents, but an increased incidence of latchkey kids will also further weaken the quality of life for children in Ontario.

CAOSS's quality-of-life statement emphasizes that the social fabric of healthy communities depends on more than buying and selling commodities. People are more than simply economic entities and their needs are complex. Increased economic activity will wreak more havoc and do more harm than good in this sense.

It is unconscionable for the Ministry of Labour to assume that personal friendships and family values have a price. It is completely unfair and unreasonable for the government to assume that a worker's refusal of overtime pay to be with a spouse or children represents an unreasonable attitude towards the work ethic.

The proposed legislation denies workable protection for retail employees who want to spend time with their families on Sundays, particularly the most vulnerable, single-parent mothers and fathers, and it obliterates freedom of choice for all retail workers. The complaint mechanism in the bill we will talking about later, Bill 114, the independent referee, will largely be blackballed as nonunion and small retail employees will most likely be intimidated by the mediation processes set out in the bill.

The rights of workers have always remained at the provincial level to ensure that workers across the province can share and have equal access to the same rights. The Attorney General (Mr. Scott) appears to agree with this principle in the

district court of Ontario, but not in the Legislature.

If the government believes that legislation regarding Sunday work is a municipal responsibility, will it pass off other labour legislation, such as the minimum wage, pay equity and workers' compensation, to municipalities? We wonder.

One final comment: The 675-member Association of Municipalities of Ontario, as we all know, is vehemently opposed to the local option. It has passed a resolution against the local option on the grounds that it does not make sense not to have a provincial standard on the common pause day, with appropriate exceptions.

In a brief response last week to one of the members of the official opposition, I railed against a number of things, as I am wont to do on occasion. I talked about this being essentially, as we have said in this party and I think the official opposition has said as well, an antifamily piece of legislation. I have stressed that this is a theme that runs throughout a number of pieces of legislation that this government and its predecessor government, in alliance with the NDP, introduced and passed.

### 1530

I especially mentioned Bill 7, the amendment to the Human Rights Code last year and the sexual orientation provisions in that code. When I mentioned that in a rather speedy fashion, the member for Etobicoke-Rexdale (Mr. Philip) took exception to it and made some rather unparliamentary remarks, which I gather were not picked up by Hansard, thank goodness. But he obviously felt quite strongly about it. I want to tell members that I have no apologies to make in respect of those comments and the belief I have.

I suspect all the current sitting members of this caucus, those of us who were fortunate enough to be re-elected, opposed that particular amendment, as members may recall. I am sure a significant number of members of the Liberal ranks also felt so inclined, but for a variety of reasons that I will not go on at length about, decided either to vote with their leader or to stay out of the House on that day.

There was no question in my mind and in the mind of many of my colleagues that the bill represented a significant slap in the face to family values in this province. I felt it was quite appropriate to raise it as part of a continuing theme in terms of initiatives of this government. Obviously, members on the opposite side are going to have some difficulty with that.



Another one that I raised—and it has not been raised in this House, but it has been raised in a column; I have seen it in one column by Eric Dowd, who does a column out of Queen's Park—was the comments of the Premier to students in northern Ontario. He has been applauded by the Toronto Star for those comments as being mature and being the first Premier who is not concerned about saying that magic word “sex.”

**Mr. Ballinger:** All across the province.

**Mr. Runciman:** I do not know about all across the province. One of the members suggests that the Premier is being applauded all across the province. I want him to know that the feedback I received was very much negative. I know times they are a-changing, but I am not sure they have changed to that degree and I am not sure I would want to see them changed to that degree.

If the Premier himself had indicated, “Look, I was caught off guard and my response was one I would like to expand upon in respect to the conduct of children”—I think they were grade 7 students sitting in that group, according to press reports. In any event, I think it continues along the theme in terms of the views of the key players in that government, especially the four or five people on the front benches, the people I like to describe as social engineers who want to have a significant impact over the next few years on the way we in this province feel about ourselves and the way we feel about family.

In conclusion, I want to repeat something I said during the Bill 7 debate and something that reflects, in terms of the initiative of Bill 7, the initiative on the comments of the Premier and a number of other things that have happened or are occurring as a result of initiatives by this government.

Comment is appropriate in respect to the legislation on Sunday shopping, and that is that supporters, when we take a look at the bigger social picture, have as their goal to reshape what we in this province are into something we are not. They repudiate virtually all of the values out of which this country has emerged. They debunk our religion and undermine our families. I am proud to be a part of a party that is opposing this legislation.

**Hon. Mrs. Smith:** I just want to clarify this municipal option matter because I think it is important to understand it. Indeed, I do accept that I did not understand the legal implications of trying to define tourism. I have said this before, as the member has made his accusation before,

but I would want to explain again that the select committee and I myself, as a member of it and later as a member of this House, did not understand the legal difficulties of defining “tourism” in a way that be meaningful in the courts. That was a problem.

Having faced that problem, which I did, it became apparent that since we could not control Sunday shopping in one way, either we had to go the Alberta route of simply saying, “We will just leave it all open and you do with it what you can in the municipalities,” or we had to do as we did and give the municipalities a very good provincial framework which they can use and a way in which they can enforce it well. This was the option.

I think we worked hard on making the bill do that. We did consult very widely in doing so. We consulted with many different groups and certainly with our own caucus. They are quite satisfied that we did consult with them. That is why, by and large, I find them very supportive of the bill.

We did what was possible to make a law that was enforceable, flexible enough to allow for tourism where it was needed; and controlled enough that municipalities can have control, if they want, as they ask in so many other areas.

Furthermore, just very briefly, we did not hand down the worker protection to municipalities, as the member suggested. That is a provincial bill, as is other worker protection, and we left it with the province.

**Mr. McCague:** I know that anything I have to say is supposed to be directed squarely at the remarks made by the member for Leeds-Grenville (Mr. Runciman). I might just sidestep that a little bit, but maybe the member, in winding up, would ask a couple of questions of the Solicitor General.

**Mr. Mahoney:** Nice suit.

**Mr. McCague:** I thank the member very much.

The Solicitor General in her remarks just a few moments ago would have us think that the reason for the bill she has before us was that she was having great problems with the tourist exemption. Maybe the member could check that out. I do not believe that for a moment. It is one of the things that I think she is using—and that is her right—to help sell an ill-conceived proposal.

I am not sure what happened to the minister. There was a time when the caucus of the Liberal Party here in this Legislature was completely split on whether or not this was good legislation, but we have had only one member so far get up

and speak in any kind of terms that would indicate he might be wavering on whether or not he should vote for the bill or absent himself from this House. I cannot quite understand what happened, unless the chief government whip was really out there whipping them, but they sure have fallen into line. If the kind of job he is doing is judged on whether or not he can whip them into line, he deserves five stars.

**Ms. Poole:** I too will address my comments to what the member for Leeds-Grenville has said. He has once again brought up the family and he has implied that this government is not committed to quality of life for the family. Nothing could be further from the truth.

I would like specifically to refer to his comments about the Premier. The member for Leeds-Grenville brought up the Premier's comments when he was speaking to students in northern Ontario. As the mother of a 13-year-old son, these comments struck very close to home, because I have very strong moral values which I impart to my children, but I also am very forthright with them. When they ask questions, I respect their intelligence enough that I give them honest answers. I think people across this province did applaud our Premier when he stood up and gave forthright answers.

Quite frankly, I say to any parent in this room or any parent in this province, if they are going to stand up to children and teenagers and say, "No, you should not have sex under any circumstances," while it might be something you feel in your heart would be desirable, it is not going to happen, and they are going to lose all their credibility in pursuing that avenue. I think the Premier was forthright. He specifically was addressing the topic of AIDS, and I do not think he was in any way derogating from family life by the comments he made.

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I do support this Sunday shopping legislation. I do not feel it is going to depart from family life and I feel the Premier's comments were in keeping with our government's commitment to the family in this province.

**Mr. Ballinger:** I would like to pass on some comment to the member for Leeds-Grenville, as it relates to the proposed bill. As one of the new members of the back bench—the opposition always feels we sit over here like a bunch of trained seals and do not have opinions or minds of our own—I would like to make this point to the honourable member, that this piece of legislation, in my opinion, has been a long time coming.

My background is municipal. It is really interesting for me in my riding to speak with some of the municipal councillors and the mayors who say they like it; however, they are certainly not going to say that publicly. In fact, they think it has been a long time coming as well.

If we have made any one mistake, I guess, it happens to be an election year from a municipal point of view—

**Mr. McCague:** That doesn't mean it is right.

**Mr. Ballinger:** I just happen to think that it is right and that is why I am standing here and why I am speaking to the specific speech made by the member from Leeds-Grenville.

One thing that has concerned me most of all is the attitude of the opposition, which has utilized the fear technique of trying to convince everyone that there is a bogymen out there they should all be afraid of. Quite honestly, that bogymen is just not in this act at all.

They have utilised all kinds of examples. The opposition is always talking about the domino effect. I understand and respect the role of opposition; they are supposed to be opposed. However, this specific piece of legislation is very objective, I think. It address the needs of Ontario, and I am more than quite pleased to stand up here publicly and support Bill 113.

**Mr. Runciman:** I will make a few brief comments. The member for Eglinton indicated that the Premier's comments in respect to the high school speech he made were forthright. I do not doubt at all they were forthright and I do not question her moral values at all, but I think the Premier's comments were ill-thought-out and if he had an opportunity to do it again, he himself would expand upon his views. I like to think he would, in any event.

The member for Durham-York (Mr. Ballinger) talks about the opposition parties using fear techniques. I want to say I do not believe we are, but if any party is an expert in respect to fear techniques, it is the Liberal Party of Ontario. We just have to reflect back upon the election of 1987, when the Premier ran across the province trying to scare the bejabbers out of every citizen of this province in respect to free trade—trying to scare the farmers, trying to scare the industrial workers, trying to scare everyone. Those guys are experts at fear tactics; there is no question about it.

The Solicitor General said she made this decision because of the definition problems in respect to tourism. I find that I have a lot of difficulty with that. She made a decision, in effect, to swallow her pride on this whole matter.



She is saying it was a problem with the tourism definition, but she was surprised by the Premier. She was totally surprised by the Premier, as was the caucus.

**Mr. Ballinger:** That is an assumption.

**Mr. Runciman:** That is not an assumption. She said two weeks beforehand, "This is a chicken way out," and now she is trying to tell us that it was a problem with the definition of tourism. That is just too much for this group to buy.

**Mr. Chiarelli:** I am happy to enter this debate on Bill 113, the Retail Business Holidays Amendment Act, the so-called wide-open Sunday shopping bill.

This bill has absolutely nothing to do with wide-open Sunday shopping. What it will do is bring order where none exists, make enforceable a law that is now unenforceable and restore the rule of law where the law is now being flagrantly abused.

Over the past two years there has been much thoughtful debate on this issue in committee, in the House and across the province, but I think some of the less thoughtful debate is now in the full bloom of exposure. I believe even some of the opposition recognize that their polemic of saying this bill promotes wide-open Sunday shopping is a distortion which has enabled opposition members to come out shooting from the lip and to move straightforwardly into dodging the real issues.

I want to say from the outset that I am personally opposed to wide-open Sunday shopping, and I am particularly opposed to wide-open Sunday shopping in the Ottawa-Carleton region. I am fully confident that the Ottawa-Carleton area, for one, will not see wide-open Sunday shopping under Bill 113.

There exists in our region the Eastern Ontario Coalition Against Wide-Open Sunday Shopping, which has been co-chaired by Ottawa alderman Mac Harb and Ottawa businesswoman Sue LeBrun.

I have had regular and ongoing dialogue with this committee of outstanding representatives from my community and I am pleased to say that these fellow citizens embarked upon their task in as nonpolitical, nonpartisan and professional a manner as one could expect under the circumstances. They were truly looking for solutions to this difficult problem.

The coalition arranged a meeting with myself and other area MPPs to discuss the issue of retail business holidays and store hours. I believe the coalition members left the meeting with a truer

understanding of the very real difficulties under the old legislation.

An Ottawa area example illustrates one major loophole of the old law, and I would like to go through it. As some honourable members may know, Ottawa has a traditional and historic market area just northeast of Confederation Square. For a number of years, this area has been designated a tourist area and has been successfully open for business on Sundays, with wide public approval.

However, on the west side of Confederation Square, Ottawa is blessed with the mile-long Sparks Street pedestrian mall. Under the old legislation, the municipality could very legitimately decide to declare it a tourism area, which it surely is most of the year, particularly in view of the fact that it is a block from Parliament Hill.

Still again, those members of this House familiar with Ottawa will know that Bank Street bisects the Sparks Street mall and terminates at Parliament Hill. The Bank Street merchants' association has in recent years completed an outstanding project of revitalizing the street for an extended number of blocks. Bank Street is host to a tremendous number of tourists to the national capital area every year.

Under the old legislation, the municipality could very well designate not only the present market area as open for Sunday shopping but also the Sparks Street mall, Bank Street and, I might add, the downtown Rideau Centre complex as well. Under the old law, virtually all of downtown Ottawa could legally be declared open for shopping on Sundays.

The bottom line of advice of the eastern Ontario coalition members was that any proposed legislation should be applied on a regional basis, where regional governments exist. I was happy to make representations to the Solicitor General in this regard, as many of my colleagues did. The minister has taken this advice, so in our case the regional municipality of Ottawa-Carleton will have the delegated authority to deal with retail holidays. I am happy to say there is an overwhelming consensus in the Ottawa-Carleton area to prohibit wide-open Sunday shopping, and this can be done effectively through our regional government.

Particularly for the previous speaker, the member for Leeds-Grenville (Mr. Runciman), who referred to the mayor of Cornwall, who is active with the Coalition Against Open Sunday Shopping, I refer to our mayor in Ottawa. Jim Durrell has stated, "It is better that municipalities



be able to decide on their own rather than have a decision imposed on them by the province."

If the mayor of Ottawa is not sufficient for the honourable member, I would like to quote from an editorial in the *Ottawa Citizen*. The member for Leeds-Grenville is a great one at quoting editorials and comments. I quote, "The decision to give regional governments the option of setting their own Sunday shopping rules is a reasonable solution to a controversial and complicated problem."

#### 1550

The regional chairman for the Ottawa-Carleton area, Andy Haydon, is on record as saying that delegation of this matter to regional municipalities is a reasonable way to deal with the issue and that he expects Ottawa-Carleton to maintain a shopping ban in all 11 area municipalities, and that is under the proposed new legislation.

Outside of Ottawa-Carleton, Mayor John Gerretsen of Kingston said he would welcome the opportunity for local municipalities to set their own rules to ban or not ban Sunday shopping. If I may quote, "I feel that some things that are good for Kingston may not be good for Toronto and vice versa."

Ottawa-Carleton is the second largest and, other than Metro, the fastest-growing municipality in the province. I believe the leaders of my community understand the fine points of Bill 113 and, although they remain staunchly opposed to wide-open Sunday shopping, they also feel comfortable controlling their own holiday shopping under this legislation.

While Ottawa-Carleton is opposed to extending Sunday shopping, I believe we should respect other communities, as the Solicitor General (Mrs. Smith) has indicated, such as Bayfield and Port Stanley, towns along the edge of our Great Lakes, which have developed streets of small boutiques which open on Sunday, quite legally, because their local governments, under presently delegated law, chose to allow this.

In eastern Ontario, Gananoque has declared itself a tourist area. Sault Ste. Marie and Thunder Bay have all developed local bylaw solutions to Sunday openings. I think it is about time the opposition parties started to show some respect for municipal councillors. While many councillors, for their own varied, legitimate reasons, may prefer not to have the local option, many members of the public are getting just a little tired of opposition innuendoes that local councils cannot be trusted with the responsibility; that somehow they will be corrupted by big business

or that they will not act in the best interests of their electors.

I take particular exception to statements made a couple of days ago by a member of the third party who indicated that Bill 113 and Bill 114 were too complex for rural councillors to deal with. Since rural councillors deal with the Planning Act, the Municipal Act and the Assessment Act, three of the most complex statutes one might deal with, I find that member's comments particularly irrelevant and patronizing.

I believe that the local councillors who approved Sunday shopping in Ottawa's Byward Market, in Bayfield, in Port Stanley, in Gananoque, Sault Ste. Marie and Thunder Bay have as much respect for a day of pause and for religious observance as any members opposite.

I also believe that councillors across the province appreciate the fact that this government has had the strength of purpose to put teeth into the law, so that, whatever the preferences of the community may be, at least they will be enforceable. In particular, where a community chooses to keep a common pause day, this legislation, among other things, increases possible fines and permits injunctive powers for the courts to order stores to close, a significant improvement over the old legislation.

The problem with this debate is that the opposition parties invested all their political capital in opposing a bill before they even saw it. They are now left to fill the air with speeches and to fill their speeches with air. They are giving us in length what they lack in depth. As the *Ottawa Citizen* stated in an editorial on April 23, 1988, "The only thing that vaguely resembles an NDP or Tory policy on Sunday shopping is the notion that there should be public hearings on the issue."

We all appreciate responsible debate on this issue. To quote from a letter I received from Ottawa alderman Mac Harb, co-chairman of the Eastern Ontario Coalition Against Wide-Open Sunday Shopping: "I would like to commend you and the government of which you are a part for the recent decision to proceed with the public hearings into this matter. The government's willingness to listen to the concerns and opinions of the people of Ontario on this issue should be noted and will not, I am sure, be forgotten. I am confident that the public hearing process will result in a solution satisfactory to the people and the government of Ontario."

We expect that sooner or later these bills will be sent to the standing committee on administration of justice for public input and detailed



review. As a member of that committee, I look forward to constructive suggestions and debate by all parties and members of the public, to the end that the bills will indeed be fair and enforceable and will appropriately address the economic and cultural needs of all the people of Ontario.

**Mr. Mackenzie:** I trust that the member for Ottawa West (Mr. Chiarelli) has his health insurance paid up to date. I can warn him that even a good dancer, when he tries to straddle a fence the way he has done, can sometimes slip, and he could end up with one heck of a hernia in a situation like that. I am always suspicious of somebody who says, "The opposition is all wrong" and "I oppose wide-open Sunday shopping but I am supporting this bill."

I would like to know from him whether Ottawa—and it may be; this one is a legitimate question—was one of the three municipalities of the Association of Municipalities of Ontario that voted in favour of transferring the right to the municipalities. As I recall it, the vote was something like—I do not have the pro vote—about 40 or 50 to three against this particular legislation. It would be interesting to know if his city was one of the three that voted this way at the AMO.

It also seems, when it comes to the hearings he is now so solidly in favour of, that it took a bit of a filibuster and a number of days of reading petitions into the record before we got it agreed in this House. So it seems to me that there is a little bit of phoney protest in the kind of comments I have heard here today.

**Ms. Bryden:** I also think it is rather late to be taking pride in the fact that we are going to have public hearings. Public hearings were forced on the government by continued demands for them. Reading petitions was the only resource we had.

However, I do also want to deal with his argument that it is going to be a great thing for each municipality to make its own decision on this. Does the member realize that the government is loading on to the municipalities, particularly the larger ones, a level of work in administering this act that will tie up those municipalities for the next two years?

They will have to draft legislation equivalent to the Retail Business Holidays Act. They will have to decide which exemptions should be allowed. They will have endless requests for public hearings on that legislation when it comes up. They will have endless delegations saying, "We want to be exempted but we don't want some other group exempted." They will have all

sorts of suggestions as to whether there should be modifications of hours of opening or of the rules for the size of store or retail establishment that can be covered.

I can see every municipality being tied up with committee hearings and public hearings on this. It will be at least two years before most of them have their legislation sorted out and, in the meantime, presumably wide-open Sunday shopping will go on because there will no restriction on it at the municipal level. By that time, you have given away the store in more ways than one. What the member is really not facing up to is the fact that perhaps Ottawa-Carleton will turn it down—we do not know—but others will have great difficulty in implementing it.

**Mr. McCague:** I would like to compliment the member for Ottawa West on being able to rationalize what he was not able to rationalize in the first instance: why he was in favour of the government's bill. The member should know that what has happened here is that we have a government which has decided to impose a bill on this province.

Whether the member agrees or disagrees with the bill, or I agree or disagree with it, really does not matter all that much. What we on this side of the House are doing is listening to our constituents. The members over there are listening to nobody—absolutely nobody. Surveys were done before this bill even appeared on the surface. The government kept saying, "Why don't you wait until you know what is in the bill?"

**1600**

We took all kinds of surveys and sent out newsletters and so forth. I think that my riding would be typical of a lot of the ridings in the province, and about 67 per cent of the people were opposed to Sunday shopping. Now, the government tries to get around that by saying that it too is opposed to Sunday shopping. The municipalities did not want this imposed on them. There were not a lot of problems out there. There were some problems, but there were not a lot of problems.

**Mr. Faubert:** Lots of problems.

**Mr. McCague:** I am not sure of the member's profession, but if he thinks that this bill has no problems, if he thinks the legal profession in this province is not going to find flaws in this bill, he is dreaming. There has not been a bill passed in this House yet that the lawyers could not find a way around, except the abolition of the Queen's counsels.

**Mr. Dietsch:** Let me begin by complimenting the member on his presentation here this

afternoon. I feel that the member has done well to put the legislation in its proper context. I have listened intently over the last several days to members opposite trying to put forward their views, really in terms of trying to confuse the general public. Anyone who believes that this Legislature was held to ransom for public hearings on this bill should shake himself, because he is in a bad dream. I think it was part of the normal process that was going to be put forward.

For members opposite to try to take advantage of this type of a situation, to use it for their fund-raising, if you will, as I noticed in Lorrie Goldstein's column, to try to confuse the public—but it is all right to try to use it in part of a fund-raising letter to earn money to build up the coffers. I think the member for Ottawa West has put the issue well. It just goes to show that albeit this House has bodies in it, they are not necessarily listening to some of the debate that goes on.

This bill is not being imposed on municipalities. It is an opportunity for municipalities to deal with their own futures, and as a municipal politician of many years, I can appreciate that. The legislation that was earlier discussed by the Association of Municipalities of Ontario certainly was done long before this bill was put on the table, and I am sure if we have an opportunity to hear what AMO will say about it, which we will over the summer—

**The Deputy Speaker:** The member's time is up.

**Mr. Dietsch:** I compliment the member on his presentation.

**Mr. Chiarelli:** The member for Simcoe West (Mr. McCague) raises the question of the legal profession and what it might do with particular legislation. First of all, there is a saying in the legal profession that you do not leap before the stile; in other words, you do not jump before you get to the gate.

What the opposition members have done is raise a lot of fear and take very strong positions before they even saw the bill. Now they cannot back off. They have to keep the fight up to the extent they did before they even saw it.

Second, the member raises a question of lawyers playing with the proposed legislation. I do not think anything could approach what they are doing with the existing legislation. He did not listen to me when I talked about the Ottawa example where, by choice, they have decided to open the Byward Market on Sundays. But under the existing legislation, all of downtown Ottawa

could be opened up. What we have done now is create a law that is enforceable so that if we want to restrict it to the Byward Market, we can do it and do it effectively.

If I can refer to the member for Beaches-Woodbine (Ms. Bryden), she is saying that her party forced us, basically, to go to public hearings. It has always been my understanding that these twin bills would be going to committee, they would be debated and the public would have a full opportunity to participate in the process. On that point, I would like to wind up.

**Mrs. Grier:** Let me start by saying very clearly to the member for Ottawa West that I had strong feelings in opposition to this legislation before I saw the actual bills. Having seen the bills, those strong feelings became even stronger. So let him be under no illusions as to the strength of the conviction on this side of the House with respect to the whole issue of Sunday shopping and Sunday working changing the pattern of life in Ontario.

There are often issues on which a member may feel very strongly but on which one's constituents do not feel quite so strongly. There are occasions when one's constituents, or groups thereof, have very deeply held feelings and a member, as a representative, is not quite sure that they are right. It is with great pleasure that I can say that on this particular issue I am absolutely confident that in opposing the legislation now before us I represent the vast majority of the constituents of Etobicoke-Lakeshore.

I say that with the confidence I do, having received more letters in opposition to this legislation than I think I have had on any other subject in the time I have been in this House; having received petitions signed by almost all of the churches in my constituency; having received representations from workers, organized and unorganized, and from members of the general public, who, on the subject of whether or not they want to see the city of Etobicoke given the right to legislate Sunday shopping, are very clearly opposed to that.

On my cable television show, I invited members of the public to phone in and give their views on what they heard when the facts were presented to them. By 90 per cent to 10 per cent they were opposed to the legislation as it now stands and were opposed to the expansion of the local option. I say to the members who say that the municipalities already have that power: If they have that power, why are we introducing this legislation? Really, members cannot have it both ways.



Another interesting aspect of this whole debate has been those people who when asked, "Are you in favour of Sunday shopping?" may perhaps respond: "Yes, I think it would be great to be able to shop on Sundays. I work every other day. I would like to take my family shopping on Sunday." When you begin to explain that the people who will end up working on Sundays are not just those in the retail trade, but those who service the retail trade, those who provide the transportation for the shoppers and for the employees, those who are perhaps contractors who remove the snow from the parking lots of the retail shopping plazas—it is not just those who are selling who are going to be working; it is a vast number of the citizens of this province—people who might have thought off the top of their heads that it was a very good idea to be open on Sundays begin to think of the implications and the ripple effect of this legislation and realize that is not the kind of Ontario they want.

We have heard much in this debate about giving the power to the municipalities. I too was a municipal representative for a very long time. I cannot count the number of occasions on which my municipality and other municipalities have asked the provincial government for some greater power to do something, greater jurisdiction over some particular issue or not to need special legislation every time we wanted to write some special kind of bylaw. All of those requests fall on deaf ears.

Here we have something the municipalities have said very clearly is a power they do not want transferred to them, and what do we have?

**Mr. Mackenzie:** It's called a copout.

**Mrs. Grier:** We have a copout, as the member says. We have a passing of the buck back to the municipalities, a buck that the municipalities do not want, a headache that the municipalities have said they do not want and an incredible job of enforcement that the municipalities are not equipped to do.

We hear from the members opposite that there are going to be public hearings. I would like to hear from the members opposite. If at those public hearings they are once again told by churches, by citizens, by unions, by municipalities that this legislation is unacceptable and that those people who come to the public hearings do not want to see this legislation passed, are they then going to change their mind?

1610

There is all this talk about listening to the people and how the government has the ear of the people. That will be the test. After those public

hearings are over, and I am quite confident the message received by that committee is going to be that people do not want a wide-open Sunday in Ontario, is the government going to withdraw this legislation? Are we going to see how responsive this majority government is then to the people of the province? That is going to be the test.

In my municipality of Etobicoke we went through a three-month Ontario Municipal Board hearing that became known in the Toronto press as "Store Wars", when Cadillac Fairview wanted zoning and official plan amendments to enable it to open a massive shopping centre in the northern part of Etobicoke, the Woodbine centre. It is there, it is built and it is, as its opponents feared, sucking trade from all the other smaller plazas for a very wide radius around.

I mention that because it was a typical example of the kind of domino effect that we are going to find with this legislation. Mississauga had Square One and Yorkdale was expanding, and so, lo and behold, developers in Etobicoke felt, "Well, we have to have a large, regional plaza in northern Etobicoke." The smaller plazas said: "We do not want to see another major plaza. There is not enough trade to go around. It will hurt the retail shopping strips." But no, because one municipality had a large regional plaza, another municipality had to have one.

I think that is exactly the kind of pattern we are going to see when it comes to Sunday shopping. It is absolute folly to say that Metropolitan Toronto will be open and Mississauga will have the right to stay shut; and how much worse it is going to be outside the Golden Horseshoe area where we get into small municipalities that have a shopping centre in the next municipality right on their borders and the shopping centre is open. Can the small, local, neighbourhood stores in the small towns in the adjacent municipalities avoid the pressure or are they going to have to open too?

When they do open, those that are going to be most hurt are going to be the small family-run businesses. I think it is families that are going to be most affected by this legislation. That is where so many of us start, because of what it is going to do to our personal lives. Some of us, who work Sundays work Sundays by choice and therefore are not in a position to complain about it, realize the effect that it has on our ability to get together with our families and realize that since our lives got busier, how infrequent have become the occasions when the family sits together around the family dinner table.



The pressures for that kind of breakdown in the old traditions are inexorable and are enormous. Why do we, as legislators for this province, have to add to them by passing a piece of legislation that nobody has asked for, that most municipalities which are going to administer it do not want and that a vast number of the people of this province have already said they do not want? I do not think it is our role to change the tenor and the tempo of life in this province by a stroke of the pen. I for one do not intend to be a party to that.

**Mr. Chiarelli:** I would like to comment very briefly on the so-called domino effect of having one municipality closed and supposedly having an adjoining municipality attract a large regional shopping plaza. I think the member for Etobicoke-Lakeshore does not understand the basic economics of shopping centres. I do not think there will be one shopping centre developer in Canada or North America that will come in with a \$30-million or \$40-million investment into a municipality, knowing full well that at the whim of the next council, two or three years hence, that a Sunday shopping ban could be imposed.

With the size of regional shopping plazas—\$25 million, \$35 million, \$40 million—there is no developer that will ever go in on a whim that it might be able to stay open for two or three years, because next election time that council may be thrown out and that large regional shopping centre may be closed. I think we should put that argument to rest because it just is not going to happen.

**Mr. Philip:** On the domino theory, I think it is less and less a theory. What we have now is the experience of British Columbia, which clearly shows that the domino theory, if you apply the municipal option, works. In fact, in North Vancouver, the council, the merchants and everyone connected with that city wanted to keep the stores closed on Sunday. The moment Vancouver opened, they had to open when they saw millions of dollars travelling across the border.

We already have the Minister of Labour (Mr. Sorbara) saying that perhaps Vaughan may want to open. I can tell the member that even though I have not found one of my merchants who wants to remain open, be they the supermarkets or the hardware stores where they say their family life will be completely ruined by this legislation. But if Vaughan opens, there is no way in which Etobicoke or North York cannot open up, whether their merchants or their citizens want it

or not, because they simply cannot lose millions of dollars across that Steeles Avenue border.

The domino theory is working. If one looks at Alberta, which, by and large, has had a deregulated system for a number of years because of constitutional reasons and so forth, the Lord's Day Act, which I will not go into, we find that the West Edmonton Mall has created major havoc for a lot of the smaller malls and downtown merchants.

In my own riding, if the Cadillac Fairview mall, the Woodbine mall that the member for Etobicoke-Lakeshore (Mrs. Grier) talks about that wanted to remain open on Sunday, were open, we would have very strong pressures on Mississauga to open, because they simply would see millions of dollars again travelling across Indian Line into Etobicoke.

**The Acting Speaker (Miss Roberts):** The member's time has expired.

**Mr. Philip:** So it is not a fiction; it is happening in the west.

**The Acting Speaker:** Order. Would any other honourable member wish to comment? The honourable member for—are you in the right chair, sir?

**Mr. McCague:** No, I am not. I am going right now.

**The Acting Speaker:** If he wishes to be recognized, the member for Simcoe West.

**Mr. McCague:** Thank you for that reminder.

Maybe the member for Etobicoke-Lakeshore (Mrs. Grier) could help me understand what the point was that the member for Ottawa West (Mr. Chiarelli) was trying to make.

**Mr. Mackenzie:** I think the fence is starting to bother him.

**Mrs. Grier:** He helped my argument.

**Mr. McCague:** Yes, he did; he helped the member greatly, and they were great remarks she had. However, I cannot quite understand the whim of one council to change its opinion, or to close, after one council had opened it. I think that is one of the very, very strong arguments opposed to this very bill. Maybe the member would be kind enough to help me get that straightened out.

**Hon. Mrs. Smith:** I just wanted to speak very briefly on the domino effect, particularly as Alberta was brought in by way of example.

It is rather interesting that if you take the city of Calgary as an example for looking at the domino theory, you have a complete non-domino theory. You have some downtown malls that are opened,



some that are closed, some small stores within mall areas that do not open even when the mall is open and others that do. In fact, the main downtown mall is closed, whereas the 8 Avenue mall is open, and sometimes open seasonally. In fact, it has not worked out to have a domino effect at all in Calgary.

The concerns in Edmonton, on the other hand, where there is the West Edmonton Mall, really illustrate the problem with the discussion of trying to do it under the tourist definition. If by any manner of imagination one wanted to describe something that tried to present itself provincially as a tourist attraction, it is the West Edmonton Mall, which set up skating rinks for people to practise hockey so that they could be watched. I believe they plan to have a hotel in keeping with it. They are recognizing that Edmonton serves a very isolated part of a big province and they wanted to set up a shopping mall exactly as a tourist attraction.

Certainly, under Ontario's existing law, the West Edmonton Mall would probably be here and be open. In fact, West Edmonton Mall is a problem possibly to the municipality Monday through Sunday—not just one day a week, but all of the days of the week. It tends at first, as it is a novelty, to draw away too much of the shopping from downtown.

So Alberta does not prove the domino theory. British Columbia, on the other hand, rather than working on the domino theory, I believe tended to be pretty much all open right away under the new law.

1620

**Mrs. Grier:** One is tempted to think with regard to the concentration by the government members on refuting the domino theory, me-thinks they doth protest too much. They are obviously concerned that it is a very relevant point and a point that is going to be proven, to mean we are having the whole of Ontario as wide-open Sunday shopping.

With respect to the remarks of the member for Ottawa West, I think, as I said before, he proved my point. I agree with him entirely that nobody is going to invest in a major regional shopping mall without assurance that the municipality is going to be open Sundays once Sunday shopping comes. Does the member not recognize the kind of pressure under which that puts the municipality? It is going to have to choose between the assessment offered by the shopping centre developer or between retaining a closed Sunday, if that is what it has had in the past. That is

exactly the kind of pressure we do not want to place on municipalities.

They are certainly going to have to commit themselves to being open on Sundays if they wish to attract this investment as opposed to the competing municipality which is also trying to attract the investment. That is the domino effect which is going to happen right across this province and why we on this side oppose the legislation.

**Mr. Pollock:** I am pleased to have a chance to take part in this debate. There are a few comments I would like to put on the record.

I have shopped on Sunday and I am sure every person here has shopped on Sunday, but what is a major concern to me is those people who will have to work on Sunday. I firmly believe there should be a common pause day, a day we can spend with our families and take a break from the business world and the pressures that go with that particular business world.

I know there are businesses which are open on Sunday. They are basically tourist businesses and service businesses. I have talked to tourist operators in my area and they are very concerned about these new regulations where municipalities can declare an open Sunday. Tourist operators only have those two main months of July and August to make their living. Sure, they do some business in June and May and also in September and October, but basically, that season is short. If some of the large municipalities open up on Sunday and if that takes some of the business away from those small tourist industries, they feel it could be devastating for some of them.

The government has given large grants to some of these tourist operators, but if Sunday shopping affects their business, it is going to be a situation where the government is giving with one hand and taking away with the other.

It has been mentioned in this assembly that farmers have to work on Sunday. I farmed for 35 years before I was elected to this assembly. I operated a dairy farm. Anybody who knows anything about a dairy farm knows you have to milk cows seven days a week, but I always did the milking on Sunday morning and took the rest of the day off until the milking had to be done at night. I am sure there is a large percentage of dairy farmers out there yet who go by that particular standard. They only do what they have to do or what it is they consider essential on Sunday.

I sent out a newsletter with a questionnaire in it. The results of that most recent newsletter questionnaire confirm that people are over-

whelmingly against Sunday shopping. In response to the question, "Are you in favour of Sunday shopping?" 81 per cent of the constituents of Hastings-Peterborough said no. In answer to the question, "Do you agree wide-open Sunday shopping will increase pressure on families and particularly single-parent families?" 77 per cent of those who responded felt that it would.

Furthermore, 75 per cent of those responding disagreed that increased Sunday shopping would increase business and employment. Seventy-two per cent of those who responded felt that the current system was about right in the number of stores allowed to open on Sunday. Perhaps most important, over 77 per cent who responded to this questionnaire said they would not be willing to work on Sunday if they were required to. Clearly, the people of Hastings-Peterborough, and I dare say the people of Ontario, do not want Sunday shopping.

I do not like this buck-passing attitude by the government. The results of this survey and the presence of our new colleague from London North (Mrs. Cunningham) are telling the Liberal government that it is clearly making a mistake with this kind of legislation.

It has been mentioned in this assembly that government members want to know what we have got against the municipalities. As far as I am concerned, we used to let the municipalities decide on land severances. Now the Ministry of Agriculture and Food has quite an impact on that. If you have an old barn anywhere within 500 feet of a house, the ministry will not let you have a land severance. That barn might be 100 years old or it might be falling down. That does not matter. You cannot have a land severance. It will be stopped by the Ministry of Agriculture and Food, and yet there is nothing in place to stop some of these large, mammoth liquid manure operations.

That is a major concern to me and other farmers too. If you want a lesson on odours, you should be around one of those large, liquid manure operations, Sunday or any time. There should be legislation to prevent some of those operations rather than banning or stopping land severances where they have an old barn next to a house.

**Hon. Mr. Riddell:** What bill are we on?

**Mr. Pollock:** I was just pointing out that they took the rights away from the municipalities to pass land severances and yet they are passing this particular Sunday shopping legislation back to the municipalities.

**Hon. Mr. Riddell:** Now I see.

**Mr. Pollock:** It takes a little longer for some people. We have the same situation with the Ministry of Tourism and Recreation, where the ministry used to give grants to any team that was playing in an Ontario championship game, whether it was ball or hockey. Sports groups wanted the right to do this, so the Ministry of Tourism and Recreation gave them that right. Now they fund only teams of A, AA or AAA status. Those small, rural municipalities get no assistance at all.

It is basically the same situation as far as Sunday shopping goes. They are passing the buck or giving this responsibility to the municipalities. As far as I am concerned, the Ministry of Tourism and Recreation should maintain its position on giving grants to all Ontario teams. It is a major concern to me.

1630

**Mr. Ballinger:** I have the greatest respect for the member for Hastings-Peterborough (Mr. Pollock), but I have some difficulty understanding a member who would stand in the House and say he shops on Sunday himself but is somewhat concerned about the people who will be working. I do not know why he would not have thought of that before he went shopping, if that was the case.

I always find it interesting when people in the opposition tell us that they have sent out a questionnaire in their riding and they get all this response back in terms of percentages. It would be interesting to know, in a riding that has probably a makeup of about 50,000 to 60,000 constituents, the total number of responses that came back to the questionnaire.

Of course, the member loaded the question. The number one question he put on the questionnaire was: "Are you opposed to Sunday shopping?" That is not what we are discussing in this Legislature; we are talking about Bill 113. When you load the question, you get back the answer you want.

I do not think that is what we are trying to do here at all. What we are trying to do is correct a litany of problems in relation to the Retail Business Holidays Act. I think what our government has done, what is proposed and is currently before us, is exactly that.

For an opposition member to stand in the House and say he has taken this questionnaire out to his constituents and he has an overwhelming response back which says they are opposed—what are the numbers he got back? As a member of this Legislature, I would really be interested to



know how many people responded to his questionnaire and how many people live in his constituency. Then let's compare the numbers and we will see whether in fact there is overwhelming opposition to the proposed bill.

**Mr. Philip:** I am pleased that the member asked those questions because I would be happy to respond to him.

**The Acting Speaker (Miss Roberts):** Order. The member for Etobicoke-Rexdale is well aware that these comments must be made upon the comments that were made by the member for Hastings-Peterborough.

**Mr. Philip:** You are right, Madam Speaker. In fact, the member for Hastings-Peterborough talked about the response he was getting from his constituents. I want to show other members who may have some doubts about the responses of the member for Hastings-Peterborough that in my own riding I received back almost 6,000 replies on the questionnaire, that is about a 20 per cent response. I have never had a riding report—

**Mr. Ballinger:** You loaded the question.

**Mr. Philip:** The member is making an accusation that I loaded the question. He is always anxious to see the questions I ask. In fact, he stood up in the House the other day and said I was completely nonpartisan in my approach to a lot of issues.

The response was four and a half to one against. In the 13 years I have been a member of the Legislature, I have not had any issue on which I have had so much mail as this one. I can say quite honestly that there has been no topic—and we have dealt with a number of controversial topics—on which I have received anywhere near the volume of mail.

In terms of the comments that we are dealing with Bill 113 and not wide-open shopping, in fact the minister herself has just said that in British Columbia, once the municipal option was introduced, everything opened. That is a different version from what the member for—

**The Acting Speaker:** Order. The member's time has expired.

**Mr. Dietsch:** I would like to comment on the remarks by the member for Hastings-Peterborough. I can appreciate the fact that he would get an overwhelming response back on a questionnaire that was worded in the way it was worded and I appreciate the remarks from one of the honourable members opposite in respect to supporting that type of petition.

It reminds me of the article that I saw on the weekend and that I would like to bring to the

attention of the member for Hastings-Peterborough. It says, "‘By signing your family day petition and by sending it with your donation today,’ the four-page letter signed by Rae concludes, ‘you can send the government a clear message that you want to keep families first.’"

I would submit that if a member really wants to feel the intent of his constituents in terms of their sending to him a clear message, then he should address the message to them in such a way that they have an opportunity for an open response, much in the same line as the way this government is dealing with this particular issue.

In turning it back to local municipalities, where they have an opportunity to deal with their own particular situation, it is important that members opposite have a clear understanding that we are talking about the option for Sunday shopping. We are not talking about wide-open Sundays. I agree with the member opposite, in that I, along with him and many others in this House have shopped on Sunday—and I respect the courage that he has had to stand up and say that he did. Many other people would not admit to that type of conclusion.

I appreciate his story on the liquid manure as well.

**Mr. Reyecraft:** I listened very carefully to the remarks by the member for Hastings-Peterborough. It is quite unfortunate that there is not a member of his own caucus here to take a turn in the rotation this afternoon, to comment on the speech and to make some positive remarks about it. It is unfortunate that he is here today all by himself.

His remarks were rather wide-ranging in nature and he covered a number of different issues. He talked a lot about land severances and suggested very clearly in his remarks that the province has taken away from local municipalities the right to make their own decisions on land severances. That is not the case.

The member knows that decisions on land severances in municipalities are made by municipal councils, through their committees of adjustment or through their land division committees. True, the Ministry of Agriculture and Food—in fact, all other ministries, other bodies and other citizens have an opportunity to comment on applications for severances. Once the decisions are made, they also have an opportunity, as do the applicants, to object to those decisions. Where those objections occur, the Ontario Municipal Board acts as the arbitrator and rules whether or not the decision should be upheld.



The honourable member also asked why we would bring forward this legislation and why the members of this caucus would support it. I support this legislation because it eliminates many of the shortcomings in the current legislation. It stops stores from roping off aisles and blocking off areas to get the 2,400-square-foot maximum that they have to meet to get the exemption for small retail stores. It stops department stores that are currently masquerading as pharmacies from being open on Sunday.

**The Acting Speaker:** The member's time has expired.

**Mr. Reyecraft:** It also imposes some very meaningful penalties on those who break the law.

**The Acting Speaker:** Order.

Does the member for Hastings-Peterborough wish to reply?

**Mr. Pollock:** Yes, I certainly do. As far as the member for Durham-York (Mr. Ballinger) is concerned, I said loud and clear when I first started out that I have shopped on Sunday. What I am opposed to is that there is no question in my mind that when people apply for a job, if that job might entail working on Sunday, they will be asked somewhere along the line if they agree to work on Sunday, and if they say no, they just will not get the job. That is my interpretation of how Bill 114 will work out, even though that is not the bill we are debating at the present time.

As far as the member for St. Catharines-Brock (Mr. Dietsch) is concerned, he said the questionnaire was loaded. I want to point out that on most questionnaires there is a blank spot at the bottom, if you want to write in anything, and lots of them have written comments in that blank spot.

1640

**Mr. Ballinger:** How many? What number?

**Mr. Pollock:** I do not have the figures in front of me, but there certainly was a blank at the bottom.

**Mr. Dietsch:** What did they say?

**Mr. Pollock:** I cannot give the member the figures right now, but I got an excellent response. I would guess there could have been 4,000 or 5,000 who responded and, as I say, 81 per cent were opposed to Sunday shopping.

As far as land severances are concerned—the member for Middlesex (Mr. Reyecraft) mentioned them—let's face it, the Ministry of Agriculture and Food has stepped things up, you might say. Before, all you had to meet was the agricultural code of practices. Now, if you have a barn there, it does not matter what kind of shape

that barn is in—if it is 100 years old, if it is falling down or anything—that severance is denied.

**The Deputy Speaker:** The member's time is up.

Does any other member wish to participate in the debate? The minister.

**Hon. Mr. Ramsay:** It is a pleasure to rise today to speak on Bill 113, An Act to amend the Retail Business Holidays Act. I will try with all my diligence to stick to the subject at hand.

Clearly, the intent of this legislation is to provide the people of Ontario with freedom of choice. That is what this debate is about: choice, not necessarily mandated shopping on any certain day. The issue of Sunday and holiday shopping has, until now, really been addressed on an ad hoc basis, mostly by the previous government, two governments ago.

What the previous government did not realize and take into account is the diversity of this province geographically and multiculturally, the multiplicity of values in this province. Let's face it, Ontario is a very difficult place to govern. We are a very diverse place, and as a Legislature, we need flexibility in what we do when we enact as a Legislature. That is what Bill 113 addresses. What is good for Toronto may not necessarily be good for New Liskeard or Cobalt or Kenora or Windsor. I think that is what this bill takes into account.

I have had the opportunity of discussing this bill with people right across this province as I have travelled across Ontario. What I have found is that support for Sunday shopping and the local control of retail business hours varies from city to city and from town to town in Ontario, as one might expect. By introducing this legislation, the Solicitor General has recognized the multiplicity of values that I speak of and the attitudes that are so diverse in this province of ours.

The point seems to be lost on my friends opposite that this legislation neither promotes nor denies Sunday shopping. What it does is recognize that what is right for Toronto may not be right for Cobalt or New Liskeard. That is not to say that people in the north are not against shopping on holidays or on Sundays.

In my own riding of Timiskaming, the town of Temagami has permitted retailers to remain open on Sundays and all holidays since 1978. As members of this House will know, Temagami has had many challenges in the last little while and will continue to do so in the future. But the collapse of the family is not an issue in Temagami; the family is surviving very well and



thriving under shopping on Sundays and other holidays.

Sault Ste. Marie is another example of a city that, as of August 1987, has allowed Sunday shopping. Sault Ste. Marie is doing very well under that from its own free choice.

However, it is the very recognition of these qualities by this government, the recognition that Ontario is a diverse and dynamic mix of communities, each with its own set of values, which has served as an impetus to amend this law to allow communities to reflect their values and traditions.

The operative frame of reference for this legislation, as I said before, is freedom of choice, and I know the meaning of this phrase might elude some of the honourable members opposite, so let me explain. Municipalities will be free to choose whether or not they wish to allow shopping on Sundays and holidays. Quite simply stated, it is a local option. The local government has been given the opportunity to make its regulation of retail business reflect the values of the community.

I would like to point out, as the minister did when she introduced this legislation, that the government will retain a provincial framework to regulate shopping on Sundays and holidays. The municipalities can either adhere to the provincial framework or enact their own bylaws to expand upon that. Contrary to what some members believe, municipalities are not being forced to make these decisions. They have the freedom to choose whether they will or not.

Let's take a look at some of the points of this legislation. The local legislation is permissive, not mandatory. The proposed bill permits municipalities to make their own rules according to their own perceived values, and these needs will be determined locally, whether they be driven by tourism or other factors.

That is one of the main differences between this bill and the other. Municipalities have always, since the Lord's Day (Ontario) Act, had that option, but only as it pertained to tourism. Now we have taken away that restriction and municipalities are free to have local option for any value they see fit that is expressed in their community.

In municipalities where the tourist option currently exists, a five-year transition period has been provided for in this bill, and if a municipality wishes to play no part in the regulation of Sunday or holiday hours, the provincial framework will govern the legislation. The legislation will maintain a province-wide law requiring most

stores to close on Sunday unless a municipality passes a bylaw to open.

The bill clearly recognizes the dynamic and changing nature of our province. The perception that this bill will provide for wide-open Sunday shopping is completely false. The amendments that are being made correct and close those loopholes that have existed to date.

As a member of the cabinet committee on justice, I have had the opportunity to review in detail the existing legislation and the recommendations from the O'Connor report. What I found was a piece of legislation that has come to us as a result of years of tinkering and that has become unworkable, unfair and, quite frankly, unenforceable.

I am sure the members present are familiar with the catalogue of abuses which have characterized the present legislation. My colleague mentioned in his remarks a few minutes ago, the roping off of sections of stores. What a ludicrous policy that has been. It is absolutely incredible. People come from the United States and other jurisdictions and wonder what type of province we have here. There are department stores masquerading as pharmacies—again, a real sham—and retail establishments which remain open because profits far exceed the fines that have been levied against them for disobeying the present law.

What we found was that while we could close many of those loopholes and improve existing legislation, we could not produce one law which would meet all the needs of a socially and economically diverse province such as Ontario. The municipal option provided under this legislation effectively deals with that problem.

In summary, I would like to say that the proposed legislation will provide the people of this province with an enforceable, fair and beneficial law. Retailers will benefit from this, workers will benefit and local communities will benefit, as well as consumers. All citizens of this province will benefit from these changes.

The new law is beneficial to communities across the province because they will be able to choose to remain under the provincial framework or adapt it to their own needs. There is no doubt that these benefits truly outweigh the inequities and discrimination that existed in the past. It is my firm belief that all of Ontario will benefit from these proposed changes.

**Mr. McCague:** The member said he was going to stick to the subject, and he did fairly well. There are just a couple of points I might bring to his attention.



He says the government is giving people the freedom of choice. I do not know how he figures that. I think the 60 to 70 per cent figure of people opposed to Sunday shopping is accurate, from all polls, surveys, members' questionnaires and so forth that have been done.

**1650**

The member mentioned that Sault Ste. Marie is open on Sunday and that it works well. I think the honourable member knows why the Sault is open on Sunday; it is because the bordering town in the US is open, too.

Then he said that people from the US think it is ridiculous when they come up here and want to shop on Sundays but cannot. That, to me, indicates fairly and squarely where the honourable member is coming from. He is in favour of wide-open Sunday shopping. There I rest my case.

**Mr. Hampton:** I find it interesting that the member speaks about freedom of choice as if this bill will somehow ensure that everyone will be accorded freedom of choice. This bill does not ensure freedom of choice at all, in our view.

I would want the member to reflect upon that. What it in fact ensures is that everyone will be open to the ramifications of the marketplace. That is hardly freedom for a community which does not want Sunday shopping but recognizes that the community next to it is going to go for Sunday shopping. That is coercion by the marketplace.

I would think there ought to be a little more reflection on this point. What might be freedom for one individual who owns a supermarket or a shopping centre on the outskirts of a community to take away or encroach on the market of some other business in another municipality will not be freedom for the businesses in those municipalities. That will be coercion by the marketplace: either we force council in our community to opt for Sunday shopping or we see our markets go away.

I hardly see how the member can describe that as freedom. That is widely known by economists as coercion by the marketplace and not freedom of the marketplace.

**Mr. Pollock:** The member mentions the fact that this will be good for business. There are going to be only so many dollars out there. Some of the big chain stores are going to get a bigger piece of that action and some of the small tourist operators are not going to get the same piece of that action. As I say, that is a major concern to me.

There is no question about it, there is only a road between municipalities and if you have one municipality staying open on Sunday and the other one not open on Sunday, you will get the same situation we have today. On one side of the road, there is a business which is going to be open, and on the other side, there will not be.

**Mr. Reycraft:** I continue to be intrigued by the arguments put forward by those who support the domino theory and suggest that the freedom of choice which is going to be provided in Bill 113 is not freedom of choice at all. They are saying that if the stores in one area open on a Sunday, then the other stores nearby will be forced to. There is a certain tunnel vision there that baffles me, I must say.

Surely, the members who are saying that are aware of the fact that on the other six days of the week there is no single standard across the province. Indeed, even within a given municipality there is no single standard. In many communities there are times of the week when some stores are open and others are not, and the fact that some have opened at a particular time does not mean that everybody else is going to follow suit.

I would also implore them to take a look at what has happened in other jurisdictions, to go into Michigan or into New York, where stores have been able to open on Sunday for a long time. In the towns and cities of those states, they will not find all the stores open on a given Sunday. Some of them do, that is true, but others remain closed.

In those communities, it is very clear that the store owners and municipalities are exercising freedom of choice. The same freedom of choice is going to be available to the communities and municipalities in Ontario under Bill 113.

**The Deputy Speaker:** Other questions and comments? If not, would the minister wish to respond?

**Hon. Mr. Ramsay:** I would be quite happy to respond to some of the comments made, especially by the member for Simcoe West. I would like to put the record straight that I am not an advocate of Sunday shopping; I am an advocate of local autonomy.

When I was referring to the roping off, what I was referring to was how ridiculous this system of roping off is. That is what Americans and people from other jurisdictions find ridiculous about our system, not necessarily that the stores are closed, but that it is kind of a rinkydink law that we have where things are roped off, drugstores have disguised themselves as depart-



ment stores, and this sort of thing. That is what I was referring to.

What you are really talking about is the 60 or 70 per cent, maybe, who do not want Sunday shopping. There might be a constituency out there that does, and what about that 30 to 40 per cent of people? You are adhering to the philosophy of the tyranny of the majority. I think there has to be freedom of choice in this province for people to decide for themselves.

You criticize Sault Ste. Marie. You are right; the reason Sault Ste. Marie is now open on Sundays is because it is a border city and it finds itself quite helpless being a border city when Sault Ste. Marie, Michigan, is open. Therefore, why should Sault Ste. Marie, Ontario, not have the freedom to open on Sunday if it wishes to do so, so that it can compete with Sault Ste. Marie, Michigan. Why can other towns and cities in this province not open for whatever reason they want, if they see fit, if their local people agree to do that?

I think we have good legislation here. I hope we wrap up the speeches on this so that we can on to a vote and get on to other important legislation.

**Mr. Hampton:** It is indeed an opportunity that I relish to speak on this legislation, because there is so much that has been left unsaid and there is so much that has been said that has been stretched quite out of proportion. I think it is only appropriate that I have a chance to deal with some of those things.

It is quite interesting that this government can take two very different perspectives and then throw them both into the category of the local option. I wonder, in looking at what the government is trying to do, how far it would be tempted to cast the net in order to avoid the recognition that, in fact, there is a great deal of difference between the existing so-called local option and what it has proposed as the local option for the future.

The fact of the matter is that the existing legislation, the existing Retail Business Holidays Act, does not make it easy for a municipality to institute wide-open Sunday shopping. It does not make it easy at all. In fact, what it does is permit a municipality to open up within its boundaries, by means of bylaw, certain shopping opportunities and certain Sunday opening opportunities for certain businesses. That can only be accomplished after a fair amount of public consultation. It can only be accomplished after businesses have had an opportunity to state their views on it.

Even at that there is an opportunity for some review in the existing legislation. It is pretty

clear, when you read the existing legislation, that what is involved and what was intended was that there should be some opportunities for those businesses that fall within the category of the tourist option or the small-business option, to be permitted to open on Sundays. What was to be avoided was the wide-open Sunday phenomenon.

If you look, in contrast, at what the government is proposing, it is indeed a local option of an entirely different feather. Municipalities are telling the government, as the Association of Municipalities of Ontario told the government, that they do not want any part of this, that they are not interested in it. In effect, what this legislation does is to put a municipality in a situation where it can be pressured into wide-open Sunday shopping very easily, within its municipal borders in terms of internal pressure or in terms of external pressure, the so-called domino effect.

#### 1700

I find it very interesting but at the same time a little alarming that the government is trying to say, "What existed before was the local option and what's going to exist now is the local option," and it tries to lump the two things together as if they are the same thing. They are not at all the same thing.

First, clearly, if you read the new act, it almost establishes now, if not very soon in the future, the roller-coaster that leads to wide-open Sunday shopping. The previous act placed a lot of roadblocks in front of that and, I would argue, was intended to do so. There is quite a lot of difference between what the government is doing with this new legislation and what was intended under the old legislation.

The second thing that needs to be looked at is this. The government says, "We've got all these problems under the old legislation and we have to fix them." In fact, the government could easily have fixed them within the terms of the old legislation. There is nothing novel being done in terms of fixing the problems that existed. The fixing could just as easily have been done within the confines of the old legislation as is proposed within the confines of the new legislation.

The difference would be, however, that we would still have in the old legislation an intention and an effect that we would not have wide-open Sunday shopping, whereas what we are going to have in the new legislation, and what I would argue is intended in the new legislation, is to begin the road to wide-open Sunday shopping.

I think it needs to be said and repeated that if the government were really serious in terms of

having a meaningful local option for municipalities, it would attempt to fix the problems with the old legislation, not attempt to bring in this new legislation, which is wide-open Sunday shopping legislation; it is not a local option at all.

Let's just talk about the option for a minute, because we have heard a lot of discussion today about freedom of choice and freedom for different communities. In listening to some of it, I almost think some of the members of the government do not understand how the retail marketplace operates.

We had a very interesting discussion earlier in the week in Guelph. One of the things that was pointed out and that people agreed there was a fair amount of substance in was that the government would never propose environmental regulation across the province in terms of a local option. It would never propose that. Can you imagine a developer or someone who wants to build a paper mill or someone who wants to build a chemical plant going to one municipality and saying: "You know, if you would loosen up your regulations a little bit, I'd honestly consider building here. But if you're not prepared to loosen up your regulations, I'm going to go to the municipality down the road and I'm going to build there"?

The government would never propose that because I think it recognizes or I hope it recognizes that the environmental regulatory body in the province is too important and our regulation of environmental rules is too important.

But the same marketplace situation, where you have an entrepreneurial developer who could say, "I will build my factory here if you will lessen or decrease the environmental regulation," the same marketplace argument works equally effectively in the retail sales sector.

**Mr. Neumann:** Are you suggesting the same evening hours, Mondays to Saturdays?

**Mr. Hampton:** It works equally effectively in the retail sales sector. I hear one of the members opposite saying, "Are you suggesting it works equally as well in the evenings?" The answer is not as much, but the same phenomenon can occur.

You could easily have a situation where one municipality says, "Yes, we're going to allow stores to stay open well into the evening on all evenings," and have a municipality located close by which then says, "We will have to allow stores in our municipality to stay open on the same evenings or to a similar degree if we are going to permit them to protect their market share."

That is not unusual. Municipalities understand that and they have gone through that. That is exactly why municipalities are saying they do not like this legislation and do not want any part of it, because it throws them wide open to what we know to be the coercion of the marketplace.

Let me give some of the members from southern Ontario an example of how the issue is being placed in northern Ontario. I understand some of the members opposite go fishing in northern Ontario once in a while, so let me put it in terms that they would understand.

When this legislation was first being discussed, there was some excitement about it among some retail store operators in Thunder Bay who thought, "If we can have this approved in Thunder Bay and we can stay open on Sundays, think of all the business we can draw out of smaller communities elsewhere in northwestern Ontario, people who will come to Thunder Bay to shop on weekends."

That was the line of thought, that if Thunder Bay merchants could get it approved and could stay open on Sundays, they would be able to draw weekend business or even weekday business—certainly on the weekends, however—out of places like Kenora, Dryden, Atikokan, Manitouwadge, Longlac, Marathon or wherever. That would be the attraction to bring people to Thunder Bay on the weekends. It did not take the local municipalities in all of those small communities very long to figure out, "If Thunder Bay does it, we have to do it, because we want to be able to protect the market share of some of our local businesses that operate here."

I am glad to say, however, that finally in Thunder Bay the chamber of commerce came to its senses and recently announced to this government and to all of the other chambers of commerce across northwestern Ontario that it wanted no part of this legislation, that it was not interested in cutting into the market shares of small towns like Atikokan, Ignace, Marathon or Terrace Bay.

That is something I think the government has to understand. There is some coercion in the marketplace out there. If a local municipality sees businesses located within that municipality potentially losing a share of their business to a neighbouring municipality because the neighbouring municipality has okayed Sunday shopping, the natural outcome of that, and certainly the economic lobbying that is going to take place, will be, "Let us open on Sunday as well."

That is precisely why municipalities are saying over and over again: "We don't want any part of



this. We don't want to be part of this domino effect. We don't want to be put into this pressure cooker. Don't bring in this new legislation. If you have to do some fixing, fix up the old legislation, which is not in any way intended to promote this kind of wide-open Sunday shopping."

1710

Finally, let me put it in terms that merchants have put it to me in the communities that I visited. If you have a store, like a Metropolitan store which offers a wide variety of goods, and if that store, through this legislation and through municipal acceptance, decides that it wants to stay open, virtually all the other small businesses in the community are faced with a desperate choice:

"Do we open on Sunday merely to protect our market because the Metropolitan store is going to stay open? And if, in staying open on Sunday, we realize we probably are not going to have the extra business to be able to afford to hire new employees, so that we will have to go in and staff the store ourselves, do we do that or do we stay closed on Sunday and inevitably lose some of our market because some people will find it convenient to go to the Met store on Sunday?"

That is the kind of situation the government is putting them in, and that is not freedom of choice. That is not freedom of choice at all. That is putting someone in a very desperate situation and then trying to tell them that it is freedom. A lot of small business people who have spoken to me, and who have spoken to some of the other members of the other opposition party, have simply said: "That is not choice. That is desperation and we do not want any part of it." They have made that very clear, to their municipal councillors, and that is why the municipalities have told the government over and over again that they do not want to be part of that desperate situation either.

**Hon. Mr. Grandmaitre:** No, they do not want to make a decision.

**Mr. Hampton:** I hear one of the cabinet ministers opposite saying they do not want to make a decision. They do not want the difficult situation, the difficult decisions that the government is trying to duck, because they have even less enforcement authority. They have fewer economic resources at their hands. They have fewer resources all the way around. They have less legislative authority to deal with the problem than the provincial government has, so no wonder they do not want the government's headache.

The government has the legislative authority, the economic resources, and the planning power to deal with it, but it says: "Oh, it's a difficult decision. We don't want it. Drop it on the municipalities. They have fewer resources, less legislative power and less economic power. Throw it on them."

**Hon. Mr. Grandmaitre:** You don't know the workings of local government.

**Mr. Hampton:** I wanted to deal with this issue on a relatively quiet note but some of the members opposite insist on jumping into the debate uninvited. I have to say this: Before the election campaign of last summer, the Liberal Party was touring Ontario saying, "Give us a majority so we can tackle the tough issues and make tough decisions."

In November of last year, not less than two months after the election, what were they saying? They were saying: "Gee, you know, this is a tough issue. Now that we have our majority government, we want to duck it." That is exactly what they are saying and that is exactly what they are doing.

It is a difficult issue. But I hear the Attorney General (Mr. Scott) speak and I hear the Solicitor General speak. They stand up and they say: "It's a difficult issue to govern on. Aspects of religion are involved. Aspects of different parts of geography are involved. Different parts of the economy are involved."

That is exactly why the province ought to be handling it. It has the legislative power, it has the economic resources and it has the regulatory personnel to be able to deal with it. The government should not duck it and drop it on municipalities that do not have any of those resources to deal with this difficult issue.

The government should live up to what it was saying before the election. It is a difficult issue. It cuts a lot of different ways. They have their majority government now, so they should deal with the difficult questions, not try to duck them and leave them to the municipalities.

I could go on much longer but I see that there are some members of the government who want to respond, so it is only fair to let them jump into the debate at this time.

**Mr. J. B. Nixon:** When I listen to the member for Rainy River (Mr. Hampton) I am constantly reminded that, in his party, the more it changes, the more it stays the same. I do remember the former member for Cornwall, George Samis, speaking against the Retail Business Holidays Act when it was introduced in 1975 predicting—

**Mr. Cousens:** Where is he now?

**Mr. J. B. Nixon:** I am not sure, but he did predict gloom and disaster and the downfall of the Ontario economy when, like a set of dominoes falling, the tourist exemption spread across Ontario and wreaked havoc with family life. Of course, it did not happen, and we know 15 years later that it did not happen.

My friend has told me he is a lawyer and he has mentioned that he is concerned that what we should be doing is introducing amendments within the context of the Retail Business Holidays Act, not introducing a new act. Frankly, I do not understand what he is saying. It is a distinction without a difference; he has lost himself in his rhetoric.

Finally, I would suggest to him that, as a noted defender of law, order and family values, he study where the domino theory comes from as a political theory. The theory of dominoes comes from the debate that surrounded the Korean and Vietnam wars back in the 1950s and 1960s, when people alleged that if we did not uphold law and order in Vietnam and Korea that, like dominoes, the neighbouring countries would fall to the Communist regime.

We believed it then, but Vietnam fell and no one else fell. I suggest that the member study his history books and he will find that the domino theory is nothing more than a scare tactic of political terrorists such as himself and his colleagues and has no meaning or validity in modern-day society in Ontario.

**Mr. Hampton:** It is indeed unusual. I hear all this badgering from across the way here and then when they have a chance to respond, they duck. But one of the members of the government did respond. Let me deal with him as he should be dealt with. We want to thank him for his lessons in cold-war rhetoric. He has indeed enhanced the level of debate in the House by introducing it, but I want to give him an alternative version of history.

Before people in the Pentagon in the United States discovered what they called the domino effect, trade unions in Europe and North America had long discovered the vagaries of the marketplace and had long known that where you have an absence of legislative authority or you have a government which is not willing to regulate or to deal with economic and industrial matters, it is very easy for the owners of a factory to walk into one community and say: "We will build a pulp mill here, if you'll permit us to pollute your air and your water to an unlimited degree. If you

won't, we'll go down the river 40 miles and we'll do it in that municipality."

Working people have long understood the vagaries of the marketplace and they have long understood what economic coercion means. I would suggest that small business people have long understood what economic coercion means when you have monopolistic practices. They have understood what it means, how you can be driven out of business or placed in a very uncertain situation. That is the kind of situation we are talking about, not the domino effect of the Pentagon theories, but the kind of economic coercion that can naturally result in this kind of situation.

**Mr. Cousens:** I would rather be dealing with some of the issues that are important to this province right now—

**Mr. J. B. Nixon:** Housing.

**Mr. Cousens:** If the agenda of this government happened to treat housing, as the issue it is, we could be debating something which would be putting something forward as a solution to the major crisis we are having in the urban areas. We could be doing far more in support of the free trade initiatives of our country.

**Mr. Callahan:** What?

**Mr. Cousens:** Yes, the free trade. I am just saying there are issues with which this province should be dealing and giving leadership. What has happened now is that this government has decided that the big issue of the day, now that it has its 94-seat majority, is to put forward a resolution which does not have the genuine support of the people of this province. It does not have the majority support.

The surprising thing for me is that in spite of the petitions and the pleadings of so many different people, the Premier (Mr. Peterson) and his cabinet ministers who are bringing it forward will not back off, will not reconsider. It somehow makes it a fait accompli.

1720

We are here. We will put on the record the feelings of many of the people who have expressed their concerns to us. We have done it through the petitions that have been tabled in this House. We have done it through the speeches that have been articulate in explaining the problems of those who are concerned. I can only say that it is with a great deal of sadness that this House should be spending this much time on this issue.

It has been dealt with through committees of this House, of which the Solicitor General has



been a member. They have come back and said: "Look, we have come to a consensus. All parties agree that there would be no need for the province to pass the problem of Sunday shopping"—and by the way, it should be called "Sunday working"—"to pass the whole issue of Sunday working out to the municipalities. In fact, the province should retain control of this large issue."

But not so. The very person who is now Solicitor General, who was very much a part of the committee of the Legislature that reviewed the way in which this legislation should be dealt with, has come back in the House camouflaged now as the saviour of Sunday shopping. Except for the rump, none of us on this side of the House is happy with this decision. For those who are looking on, I am sorry to have to call them that, but the rump is over here. Something like 24 members of the Legislature are Liberals sitting over on this side of the House. They come along and clap their hands like trained seals in support of the government motion.

I did not want to take a position on Sunday shopping without considering what my own constituents thought about it, so in my recent newsletter I sent out several questions to the people in the riding of Markham in order to solicit their views. I think it is so important that members of the provincial Legislature consider the views of other people and do not just come here and start parroting the views that are being pushed by the cabinet ministers or by the Premier.

Should they think for themselves, they might come out with a different point of view than that of the government. Indeed, I am sure many Liberals have had a chance to express their views in caucus but, unfortunately, they have not been successful in persuading the Premier, the Solicitor General, the Minister of Labour, the Attorney General or the others who are leading this push, to back off and to rethink their views on Sunday working.

However, being a responsible member of the Legislature, I took the position of asking my own constituents. I venture to say that few government members have had the nerve to go and ask their constituents, because they are being ordered by the Premier and the cabinet to come along and fall into line. The member for Durham-York is one of them. His own riding office was coming out and saying, "Look, we don't know his position on Sunday shopping," because the fact of the matter is, deep down, he is in support of having Sunday as a day off.

I asked four questions, and the answers to them came back with a very clear message. I would like to put them on the record. It will soon be public in our own area through my next newsletter and through news releases; none the less, the data that I am sharing with the House today have not previously been made public.

They are the results of a survey that went out as a householder to all my constituents. There are 125,000 people in the riding of Markham. It consists of the town limits of Markham, as well as Thornhill, Unionville, Markham village and Milliken. We are in a position now to have a strong statement from this community.

The first question on Sunday shopping was: "Do you think the province should transfer responsibility to municipalities for the regulation of Sunday shopping?" Thirty-one per cent said yes, 65 per cent said no, 4 per cent had no opinion.

The next question I had was: "Are you in favour of more open and available Sunday shopping?" Thirty-six per cent said, "Yes, we're in favour of more open and available Sunday shopping," 61 per cent said no, 3 per cent had no opinion.

The third question was: "Would you or a member of your family be willing to work on Sunday?" Thirty-three per cent were willing to work on Sunday, 64 per cent were not, 3 per cent had no opinion.

The fourth question was: "Do you presently have a pause day each week?" Eighty-four per cent said yes, 12 per cent said no, 4 per cent had no opinion.

The number of respondents to this questionnaire is far in excess of any questionnaire that I have ever had before. I have three large boxes. I would estimate that in excess of 5,000 people responded to this questionnaire. By virtue of that fact, I am very comfortable in this Legislature in standing up and speaking against the proposed Bill 113 of the Solicitor General, which will open up Sundays and which will go against the feelings of my own riding, the people of Markham.

The fact of the matter is that they had a chance to put some comments down. Some of the comments were in favour of having Sunday shopping.

One was: "People who don't want to shop don't have to. I have lived in Alberta and travelled extensively in the United States where Sunday shopping is permitted and have never noticed a deterioration in the quality of life or other major problems caused by this change."

Here is a person who is saying: "Hey, I'm on the other side of the coin. I'm in favour of it being open."

Another person said, "As a retailer, I feel that working six days a week is sufficient and I do not believe my business will improve if we trade on a Sunday."

Another person commented: "There should be no regulations restricting days for shopping. If someone wants to conduct business seven days a week, so be it."

Another person had this to say, and I think this was a more representative sample of the views: "We are living in a hastened world. Shopping has become a recreation and many other valuable activities are falling by the wayside. Sunday shopping would likely add to health care costs as already strained family life becomes more stressed and torn."

I wonder what is happening here, as we have been in this Legislature now for many weeks, in which Sunday working and Sunday shopping has been an issue. Thousands upon thousands of names of petitioners have been tabled in this House, and we have received literally thousands of letters from people asking this government to reverse its decision.

We know how the people have reacted in London North and we know that there is a deep, deep feeling in this province to maintain something that is uniquely Canadian, uniquely Ontarian, uniquely part of the family life that is the fabric of what this province is all about. They are saying, "Let's protect it, let's save it, let's do what we can to preserve it."

Yet here in this House we are about to bring about a change that will hit 130 ridings like a domino effect, one by one by one, as we see an opening up of Sundays in a way that, quite candidly, is not in the interests of the people of Ontario.

They have elected us to do a job, and as we look at the people who are writing us today, 65 per cent are saying, "Don't do it." Yet the Premier has such a majority that he does not have to listen; he does not have to be open; he does not have to respond in a way that the people of Ontario really want him to.

I asked this question in a different way in a newsletter to the local newspapers, the *Economist* and *Sun* and the *Richmond Hill Liberal*, which is the name of my riding newspaper.

[Applause]

**Mr. Cousens:** I know, but our paper being called the *Liberal* has really been a challenge, because in spite of the name, unlike those people,

it is very objective. It is a very clean newspaper, which is something else I cannot say for everything else that is called *Liberal*.

**Mr. Faubert:** Madam Speaker, did you hear that?

**Mr. Cousens:** I was not thinking of the Speaker. When the Speaker is in the chair as Madam Speaker, she is neutral and is more Tory than she is Liberal at those moments. I have a great deal of respect for her objectivity in the chair and I am delighted that she is there and not the member for Scarborough-Ellesmere (Mr. Faubert).

Anyway, as I was trying to bring out some of the concerns as to why people are opposed to Sunday shopping, I was asking rhetorically a number of questions and I asked, "Where is the pressure coming from for a wide-open Sunday?"

First of all, there is no pressure coming from the municipalities. The association that represents the municipalities in Ontario, the Association of Municipalities of Ontario, voted overwhelmingly against the province placing the local option on the shoulders of municipal governments.

1730

We have in this House today the former Minister of Municipal Affairs, and we have the present Minister for Municipal Affairs (Mr. Eakins), and both of them have made a great effort in trying to respond.

[Applause]

**Mr. Cousens:** I can give them a one-handed clap, but the fact is, both these ministers would have been aware of the kind of thinking that is coming out of AMO and yet both of them have not deviated from their position on Sunday shopping and Sunday working.

AMO, by a vote of 99 per cent—there was one person who voted against it; Mr. Lastman's representative was the one who voted for wide-open Sunday shopping. Why have representatives such as AMO come forward with a viewpoint and had it totally ignored?

I would like to raise another question as to why we are here discussing this, and it has to do with the pressure from the courts. We do not have pressure from the courts in Ontario regarding the existing legislation. The courts have in fact ruled against Paul Magder, the Toronto fur merchant, thus upholding the present Retail Business Holidays Act.

The courts have also emphasized that there are benefits to a common pause day. If the courts had come to this House with a different decision,



such as the one that came through on abortion, we would be facing a quite different set of circumstances because then we would be forced into reviewing our legislation. But that is not the case. The courts instead have upheld the province's view of a pause day.

In spite of that fact, this Solicitor General—and by the way, I compliment the Solicitor General for being here and for taking in this debate, even though it is her bill. Some of the other ministers have not done that, and I appreciate the fact that she is here to suffer my speech. I think that is something very honourable. Even though she is dealing with a dishonourable deed, she herself is always an honourable person.

**Mr. Smith:** That is the catch.

Interjections.

**Mr. Cousens:** There is no hooker on this side of the House, and I know the Solicitor General will do what she can to get rid of them around the province.

**Hon. Mr. Grandmaitre:** Where are the rest of your boys?

**Mr. Cousens:** I am not answering that.

Dealing with the bill again, where is the pressure coming from for this Sunday shopping? When we dealt with London North a short time ago—"we" being the Progressive Conservatives—we had that opportunity when the previous member for London North, a very dear friend to all of us, became more of a friend when he resigned to give us a chance to win the seat.

But the fact of the matter is, the turnaround of those voters in London North by electing the present and sitting member for the Progressive Conservative caucus was a clear statement to the Premier, in whose community the present member for London North (Mrs. Cunningham) and the Solicitor General live, that the people of London are not interested in having a wide-open Sunday.

That was a strong statement made in that by-election and it is a statement we are making again today.

**Mr. Ballinger:** You can't assume it was on that issue.

**Mr. Cousens:** The government is being reminded of it every day in this House because—

Interjections.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. Cousens:** Yes, Madam Speaker. It is hard to handle the member for Durham-York.

**The Acting Speaker:** All members come to order, please.

**Mr. Cousens:** There is no pressure as well from the majority of retailers across Ontario. The president of Idomo Furniture International is leading a strong lobby of retailers, big and small, objecting to being open for business on Sundays. That is something that came through in the Ontario Progressive Conservative caucus's tour across the province in the presentations that were made to our own caucus as we were travelling Ontario to try to get the view of the people.

We had Canadian Tire stores, we had General Motors dealers, we had Chrysler dealers, we had the large franchises. They were saying, in a clear way, "Don't go for a wide-open Sunday; we need that pause day." The retailers across this province are saying, "Protect us from having to be forced into being open on Sunday."

The other retailers who spoke out strongly against having a wide-open Sunday were the small, "mom and pop" stores. They have to be in the store to protect their business, to protect the cash register, to protect their inventory. Unless they are there, they feel something could happen without their presence. Indeed, their business is based on their presence, on their monitoring what is going on. They are not in a position to just take a day off. If they are going to be in a position now where they have to be open on Sunday in order to be competitive with all the other small retailers and small businesses, when are they going to have a chance for a break?

**Mr. Pollock:** That's a good point.

**Mr. Cousens:** It is a very good point, and I appreciate the support from my friend the member for Hastings-Peterborough. He understands that, because in his riding as well there are many small retailers who enjoy having that day off.

Even the retail employees have questioned why we need this legislation. It was not just something that happened without being noticed. I think almost every employee of the IGA stores in my riding of Markham signed petitions saying: "Please protect us. Protect us so that we can have a day with our families and a day off." The fact is that they did that spontaneously. They did it as a statement so that they could have someone who is interested in their concerns.

Interjection.

**Mr. Cousens:** The honourable member is having a big laugh over there. I do not think he really cares about the voters now that he has gotten elected. The fact is that that is not good.

I am concerned with a number of the details of Bill 113. When we start looking at the whole jurisdiction of this problem, we realize that the

Attorney General is on the record with regard to this issue back a few years ago when he was fighting this issue in another capacity, before he became the very high and mighty Attorney General of Ontario.

I would like to put into the record some of the statements that were made by our present Attorney General when he was defending the conviction of Paul Magder. When Paul Magder appealed his conviction, our friend the Attorney General made the following statements, which I would like to put on the record because it is not the same Attorney General who is coming out now and saying, "We want to have a wide-open Sunday."

"The evidence 'overwhelmingly' indicated that there was a need for a legislative pause day due to a reluctance on the part of many industries to regulate themselves in accordance with this objective.

"There is an accompanying erosion of the opportunity for retail workers to participate in leisure activities with family, friends and others. A uniform pause day was needed to allow the pause day of retail workers to coincide with that of their school-aged children, spouses and friends and community events. A quality common day of recreation was needed for as many of Ontario's citizens as was possible.

"Employees in the retail sector were viewed as being in need of a statutorily mandated day of rest. Without such a regulation prohibiting Sunday openings, the vigorous competition for market share would force many retailers to open. Retail employees are generally nonunionized, have low job mobility and few if any mechanisms for the redress of grievances. As a group, retail workers are not 'in an economic position to negotiate a satisfactory financial arrangement for Sunday work' and are 'subject to subtle economic pressure to work, particularly in large establishments where employee resistance to management decisions to open would be met simply by replacing the resisting employee.'"

That is our Attorney General speaking back a few years ago. How is it that he could have such a conversion, now taking the opposite point of view? Here he was then, saying: "There's a need for a pause day. Protect the employees."

That is a concern we have in this House. There is no one there to protect them now. There is nothing to protect them. This legislation that is coming forward does not begin to do that, and I will explain further, in a few moments, some of the ramifications of this legislation.

I am concerned that the Attorney General has forgotten the deep social implications for our society of having a day of rest, of having a pause day. I have to say that such a move on the part of this government is not only bad policy; it is bad legislation and it is bad politics.

**1740**

I would like to say that what this now gives local councils is an option to do pretty well as they please. I am concerned with a number of things—

**Hon. Mr. Mancini:** They can do it now. Come on, tell the truth.

**Mr. Cousens:** Well, that is a worry. First, it creates an open designation based on location, size, number of persons employed, the character of the business or any other criterion. A subsequent, simple motion by a council can alter an existing bylaw by extending the open designation to one more store, one more street, a new development or a whole new town. It can be as big or as small as they want it. Listen to this: "A simple motion in council will now be able to change the hours of Sunday or holiday shopping in all or part of designated open areas."

The third thing this bill does is change, for one time only or for all time, whether or not retail employees and employees in a municipality can celebrate Christmas Day, Boxing Day, Good Friday, New Year's Day, Victoria Day, Canada Day, Labour Day or Thanksgiving Day with their families. We have had traditions in this country for many, many years when these were days that were set apart as special holidays. I have a great deal of confidence in councils, but if one council starts and then another council, before you know it we will have lost something that separated us from those south of the border or from those other areas where people say they now have that wide-open opportunity.

I do not want that. I want to keep New Year's Day and I want to keep Sunday. I want to keep Victoria Day. I want to keep Canada Day. I want to keep certain things that are different. I want to keep a pause day. I want to bring my family around me on those days, and so do many other people. I do not want to have to be forced into not being together with my family and my loved ones because some of them are out working and some of them are now distracted with other things. I think it is good if you can shut the door to some of those opportunities. What you are doing with this bill is saying, "Everything is open; it is wide, wide open."

I am concerned. The local councils have that option. I say the province should have that



option, and the province should be the one that is bringing out the legislation rather than allowing every municipality, some 832 of them across the province, to do what it wants, where it wants, when it wants, why ever it wants to do it, without having some kind of standard legislation. That is the problem.

This bill will also create open areas at some times in the year which are closed other times.

This bill, in spite of square-footage requirements in the bill for pharmacies, convenience stores and others, changes those requirements. The prohibition against roping off becomes meaningless in a world where an individual store can make application to have the space requirements increased by a simple motion in council.

Further, after the special exemptions for different types of retail businesses are granted in the bill, the government has listed a whole variety of different kinds of businesses that can be exempted.

Why would the bill also, according to this legislation, reduce the amount of fines for people who are going to break the law? If we are going to have a law, let's keep it so it has some teeth to it. Why does the bill reduce the \$50,000 fine that is now in place to a much lower amount?

**Mr. Ballinger:** It goes from \$10,000 to \$50,000.

**Mr. Cousens:** I would stand corrected on that. Is that true? I would be very interested. My understanding, and I appreciate that—and this is the point of not rushing it through.

Interjections.

**The Deputy Speaker:** Order. May I remind members who wish to make comments and questions that there is a period for that after the member's speech.

**Mr. Cousens:** I would apologize to the Solicitor General on that, because my understanding was that the fine for people who break the Sunday closing laws had gone down and I was concerned about that; instead, they are raising them. I am pleased to hear that; that is a good direction, and I compliment you for that if that is the case.

[Applause]

**Mr. Cousens:** The one thing that comes through in that gesture that just happened is that I am willing to apologize. You guys are not willing to apologize for anything.

**The Deputy Speaker:** Order. As much as I reminded members that there was a question and comment period, I would like to remind the

current member to address his remarks through the Speaker.

**Mr. Cousens:** I accept that as well, Mr. Speaker, and I appreciate your bringing that out.

There is a whole designation of what is an open area. As we look at the opportunity that is going to take place, as soon as some municipality seizes upon this legislation as an opportunity to open up a new mall or some new business to increase its tax base, that can become a hub for marketing activities. It will become like a discount zone, and people will come and go there for special Sunday shopping. Then, before we know it, that is going to affect every other retailer in the neighbouring area, because the media and the advertising that will go on, beaming that message out to other communities, will cause people to cross municipal boundaries to go to that location to do their purchasing.

I am concerned as well that the whole public debate that is going to take place within the different municipalities because of this bill can be of such a minimal amount. Do members see what is going to happen? We are going to lull the province to sleep by having these debates in the House, and then the people in the communities out there will say: "It's just going to happen. It's inevitable." So when a local council decides it is going to bring in a motion to open up its area, it does not have to give a lot of public notice on it. It does not have to come out and say, "Two weeks from tonight, we're going to be having a public debate on opening up Main Street as a tourist area for totally open shopping."

From the beginning, this government maintained that the issue of wide-open Sunday shopping should be settled at the local level with local debate. Bill 113 provides no mechanism to cause that debate. I wonder why not. I wonder why the government would come out at one time saying there was going to be encouragement for public debate, and there is nothing in this bill to do that. I am sure that is something that will come through the public meetings this summer, and we will find amendments that can be made to this bill that will force municipalities to have a series of open meetings, a chance for public response not unlike when they are making changes to zoning bylaws in the community and the community is warned about it in advance. The onus would fall on the municipality to make sure that the community is given lots of warning.

As it stands right now, a local councillor—or the region—without warning, could introduce a motion at any council meeting and pass a bylaw

to create or amend an open designation with little or no debate.

**Mr. Faubert:** A one-man council, eh?

**Mr. Cousens:** The point is extremely valid. Why should that be done without having that opportunity for the whole community to respond to it?

**Mr. Harris:** That is a good point. The member is making excellent points.

**Mr. Cousens:** I thank the honourable member.

I wonder what is happening with regard to tenant protection. It is another one of the small worries I have, among many large worries, with regard to this bill.

The government tried to address the problem of tenants of malls whose leases require individual stores to be open when the mall is open. What we are talking about here is where, if a mall decides to be open, an individual retailer within the mall, at his own option and his own discretion does not have to be open under this legislation.

I am wondering how true that really is, because when that small retailer has decided on his own not to be open on Sunday, and owner of the large mall says, "We want you to be open. If you decide not to, just wait till your lease comes up for renewal, because we might not be renewing it for you." There is going to be pressure. There is going to be great pressure on those small leaseholders to fall in line. When the lease is not renewed, the owner is not going to say, "It's because you weren't open on Sunday;" but it is going to be because of that reason, and it is going to be to the advantage of the mall owner to make sure that all its tenants are open on those holidays or on Sundays as well.

This legislation is fraught with problems. We are talking about a piece of legislation that touches upon the very dynamics of what our communities are all about. It touches upon what we really want for our province and for our people—a chance to get together with their families in their homes and with their people; a chance to have time off, a chance to rest, a time to grow, a time to read, a time to swim, a time to recreate themselves. By just keeping the old clock moving as far as work is concerned, many people are not going to have that opportunity.

That is the feeling I have coming through to me in the letters that are coming from people in Markham. I have never had more letters from more people in support of having a pause day each week. In other words, these people are among that 65 per cent of those in my riding who

are saying: "Keep it closed. Keep it down. Let's not have an open Sunday."

**1750**

I have a letter from very good friends of mine, the Sharps on Robinson Street:

"We wish to voice our concerns regarding the issue on Sunday shopping. As I myself work in the retail business, as well as a member of my immediate family, we really appreciate having the family time we share on the one day that we can all get together, which is Sunday. I definitely would not want to see this change, which I am afraid would happen if Sunday openings are made wide open. I feel the Ontario government must act to maintain Sunday as a common pause day. Thank you."

I do not know what they are thanking me for because I do not see any way in which I am going to be able to help the Sharps reverse this legislation.

I have another letter from the Bakers in Concord. These are people who live over in the riding of the Minister of Labour, the member for York Centre. "We would like to add our voices re the controversy about open Sunday shopping." I suppose they could not write to the Minister of Labour because he is already committed to something, so they have written to me. They probably know that I am concerned and care—

**Mr. Ballinger:** Cut it out. That's a bunch of bull.

**Mr. Cousens:** I have a great deal of respect for what the Minister of Labour is trying to do, but the problem is that he is committed to going ahead with this horrible legislation, so they are writing to me. "We are against the open-Sunday concept because we feel there should be a day of rest and that it will have a negative impact in many ways upon our lives."

I have a letter here from a grade 11 student at Markham District High School. He has written to me at this time "to show where I stand regarding Sunday shopping. I have seen your questionnaire and the question pertaining to this most important subject. I hope that you would be trying to do something to stop this outrage from ever coming about."

A grade 11 student taking the time to write. I think it is excellent. He says, "I think I speak for all devoted Christians when I say this law would destroy the Sabbath for all society and slowly start to deteriorate all righteous values left in our country. Furthermore, I hope you are a Christian like myself and will fight against this proposal. In closing, I would like to just leave you with a few words from the scriptures," and he goes on to



quote at some length. I appreciate the fact that here is a young person with a sense of values, a sense of knowing what he wants, who is prepared to share his views with me.

I am impressed as well with the position that was taken by Central United Church in my area. I will not quote all the letter, but I would just like to put it on the record that Deborah Savage, the associate minister for Central United Church in Unionville, says:

"We oppose this legislation and indeed the proposal to allow individual municipalities to make their own decision on this issue, and we wish to make our concerns known so that you might intervene. There are several key issues at stake. For ourselves as Christians, Sunday is our day of worship and not a day for working. Indeed, Sunday has long been regarded as a family day, a worship day and a day of rest. To, in effect, force people to work on Sunday by allowing retail stores to open, you would be flying in the face of what is considered holy and nurturing for community and family life.

"We recognize our neighbours of other faiths who do not share the same Sabbath as ours and reaffirm their right for their religious observances. At the same time, we acknowledge the fact that Sunday has traditionally been our common pause day and to alter this would be disruptive to community and family life.

"In your decision to be fair about open Sundays where people have access to public shopping you have not been consistent in having full access to the community. The understanding is that only retail stores and essential services would be open on Sundays, whereas other services, primarily government-related, would still have the freedom of Sunday leisure.

"Yet another concern we wish to express is your unwillingness as a government to alter your position on this matter even although a majority of the people of Ontario seem to be strongly united against an open-Sunday policy."

This letter was written to the Premier. Because of the fact that she was saying this to me, I was for a moment thinking that I could be accused of such a crime:

"It is fair, Mr. Peterson, to say that you personally lose credibility when you do not face this issue directly. The province of Ontario will not be enhanced by fragmented municipalities and a mosaic of policies. Our strength comes from having a united and not a splintered front."

She went on, and I have to read these few lines here, "We appeal to your sense of strong leadership." I would have questioned that one,

but anyway, she was appealing to it. "We appeal to your sense of strong leadership and compassion"—well, he is not showing much compassion on this one—"for the people of Ontario. Please hear us when we speak out against the proposed open-Sunday policy. Hear our concern for the sanctity and welfare of our families. Have the courage to show a sense of confidence in your own leadership by reversing your decision in this matter and showing us that you have heard and value our opinions.

"Will you show that you care about our feelings on this issue? I look forward to hearing from you on the matter in the near future."

That is typical of the kinds of feelings that are coming through from the correspondence that I have received from people in my community. They are not just asking for Sunday as a pause day. They are respectful of the needs of people with other religions who may want another day for their pause and they are going to lose that opportunity with this legislation, and they are saying: "Come on. Do something to recognize the Jewish people, or the Hindus or whatever other religions, so that each of these peoples are going to have a chance to have that day of repose, of rest, of recreation."

When I see some of the statements that have come in, I am touched by the fact that you are seeing groups of people who until now have not been able to sit down at the same table together because they have never had enough in common. In fact, what you are seeing now is a cross-section of all the churches and all denominations. In fact, at this point in time I cannot think of one religious denomination in this country that has gone on record as saying it wants to have a wide-open Sunday. Maybe the Solicitor General, in making some comments with regard to my remark, can point out the names of those who are on record as saying, as churches and recognized denominations, they are in favour of having a wide-open Sunday.

The fact is that this interfaith committee of Christians, and I think it is primarily Christians here, has come forward and is saying strongly to the province of Ontario that it is asking for a reversal in the direction that this Legislature is now taking.

I would just like to quote, in part, "We have joined together and have drafted an interfaith statement on the issue of open Sunday shopping," and then they come forward. I am not going to read that statement into the record. Because of the number of people who do want to

speak on the issue, it would take far more time than I have, but they say within their statement:

"Historically, in Canada, Sunday has been considered to be a family day and a day to touch basic human needs, such as rest, relaxation, recreation and companionship and, for many, a day of worship. This common pause day helps people to keep the rest of the week in perspective and it has a restorative effect on the human spirit. Such a common day of rest for the family and other individuals is built on freedom from the usual demands made by the marketplace. It frees the family to be together, to relax, to relate to one another and to neighbours, to visit the sick and the lonely. It strengthens family and social bonds."

It becomes another statement by another group of people who are saying, "We want this province to retain something of its character and something of its nature that has really made it what it is today."

One of the things that came through in this Legislature in the free trade debate was the fact that the people of Ontario were afraid of being absorbed into the United States, afraid of being taken in by its merchandizing, its commercialism, by the American way of life.

In fact, one wonders when one starts thinking of the amount of TV that we have in this province that is beamed in from the United States and the impact it has on our own value system. But one of the ways in which we can continue to maintain the unique nature and character of this province is by keeping that day of rest. So many people say, "What we like about Canada is that there is something different about us." I am saying that one of the things that can keep us different and keep us strong is having that day when we can take time to be with our families and our loved ones.

On motion by Mr. Cousens, the debate was adjourned.

The House adjourned at 6:01 p.m.



## ANSWERS TO QUESTIONS IN ORDERS AND NOTICES

## ASSISTED HOUSING

**89. Mr. Cousens:** Would the Minister of Housing provide a breakdown by municipality of the number of assisted housing units available in Ontario, which of these are funded through federal, provincial or municipal programs and the dollar level of funding? [Tabled February 9, 1988]

See sessional paper 271.

**90. Mr. Cousens:** Would the Minister of Housing indicate how many new assisted housing units have been announced since she became minister and how many of these will be ready for occupation by December 31, 1988? [Tabled February 9, 1988]

**Hon. Ms. Hošek:** Since October 1987, 41,990 new assisted housing units have been announced. None of these will be ready for occupation by December 1988, as the time required to complete a unit ranges from 18 months to three years.

**91. Mr. Cousens:** Would the Minister of Housing provide a breakdown by municipality of the waiting list for assisted housing in the province? [Tabled February 9, 1988]

**Hon. Ms. Hošek:** Please find attached a breakdown by municipality of the number of persons on the waiting list for assisted housing. Information is provided through the local housing authority priority lists. (In Metro Toronto, information is included from the seniors' central registry.)

## Waiting List for Assisted Housing

Ajax 51, Alexandria 23, Alliston 13, Almonte 13, Amherstburg 44, Ancaster 6, Anson, Hindon and Minden 1, Arnprior 64, Armstrong 15, Aroland 7, Assiginack 1, Atikokan 9, Aurora 93, Aylmer 27.

Bancroft 4, Barrie 296, Barry's Bay 3, Bayfield 1, Beachburg 2, Beeton 2, Belle River 5, Belleville 234, Black River-Matheson 7, Blenheim 11, Blind River 46, Bobcaygeon 2, Bracebridge 50, Bradford 22, Brampton 433, Brantford 326, Brighton 11, Brock 12, Brockville 230, Bruce Mines 4, Brussels 1, Burford 4, Burk's Falls 11, Burleigh and Anstruther 1, Burlington 192.

Caldwell 4, Caledon 6, Cambridge 340, Campbellford 18, Capreol 5, Carleton Place 85, Carnarvon 4, Casimir, Jennings 2, Casselman 1,

Chapleau 40, Chatham 328, Chatsworth 2, Chesley 4, Chesterville 5, Clinton 2, Cobalt 2, Cobden 10, Cobourg 78, Cochrane 22, Colborne 3, Collingwood 56, Cornwall 528, Cosby, Mason and Martland 3, Cumberland 2.

Deep River 7, Delhi 24, Deseronto 2, Dinorwic 2, Dresden 6, Dryden 37, Dundalk 6, Dundas 52, Dunnville 58, Durham 5, Dysart et al 1.

Ear Falls 1, East York 524, Eganville 8, Elliot Lake 33, Elma 1, Elmvale 3, Elora 4, Emo 2, Englehart 23, Erin 3, Espanola 33, Essex 34, Etobicoke 1,184, Exeter 2.

Fenelon Falls 11, Fergus 10, Flesherton 1, Foleyet 2, Fort Erie 47, Fort Frances 60, Frankford 3, Front of Yonge 5.

Gananoque 18, Georgina 41, Geraldton 1, Glencoe 3, Gloucester 45, Goderich 14, Gore Bay 12, Grand Valley 4, Gravenhurst 45, Grimsby 5, Guelph 411.

Haileybury 11, Haldimand 17, Halton Hills 51, Hamilton 1,052, Hanover 8, Harrison 8, Harrow 3, Havelock 7, Hawkesbury 71, Hearst 98, Hornepayne 5, Hudson 2, Huntsville 48.

Ingersoll 39, Innisfil 6, Iroquois 8, Iroquois Falls 21.

James 1.

Kaladar, Anglesea 4, Kanata 12, Kapuskasing 63, Keewatin 4, Kemptville 5, Kenora 81, Kincardine 40, King 14, Kingston 250, Kingsville 10, Kirkland Lake 111, Kitchener 409.

Lakefield 7, Larder Lake 3, Leamington 39, Lincoln 6, Lindsay 78, Listowel 19, Little Current 11, London 395, Longlac 9, Lucknow 1.

Madoc 8, Magnetawan 1, Manitouwadge 10, Markdale 4, Marmora 10, Massey 2, Mattawa 26, Meaford 9, Merrickville 2, Michipicoten 16, Midland 118, Mildmay 1, Milton 50, Milverton 2, Minaki 2, Mississauga 1,010, Mitchell 8, Moosonee Development Area 85, Morrisburg 10, Mount Forest 1.

Nakina 6, Nanticoke 6, Napanee 53, Nepean 38, New Liskeard 118, Newbury 4, Newcastle 7, Newmarket 131, Niagara Falls 308, Niagara-on-the-Lake 7, Nickel Centre 5, Nipigon 20, North Bay 304, North Dorchester 2, North Himsworth 4, North York 2,434, Norwood 3.

Oakville 223, Omemee 2, Orangeville 75, Orillia 118, Osgoode 2, Oshawa 422, Osnabruck 4, Ottawa 1,448, Owen Sound 111.

Palmerston 6, Paris 23, Parry Sound 101, Pembroke 225, Penetanguishene 42, Perth 56, Peterborough 394, Petrolia 10, Pickering 38,

Picton 40, Port Colborne 28, Port Elgin 11, Port Hope 44, Portland 2, Prescott 35.

Rainy River 3, Ratter and Dunnet 1, Rayside-Balfour 31, Red Lake 28, Renfrew 59, Richmond Hill 106, Ripley 1, Rockland 13, Rodney 1, Roxborough 1, Russell 2.

St. Catharines 368, St. Marys 13, St. Thomas 130, Sandwich West 3, Sarnia 32, Sault Ste. Marie 249, Savant Lake 5, Scarborough 1,875, Scugog 22, Seaforth 2, Sheffield 3, Shelburne 7, Simcoe 103, Sioux Lookout 52, Smiths Falls 85, Sombra 1, South River 1, Southampton 1, Stayner 4, Stirling 3, Stoney Creek 22, Stratford 135, Strathroy 17, Sturgeon Falls 64, Sudbury 490, Sultan 4, Sundridge 2.

Tecumseh 11, Teeswater 2, Temagami 1, Terrace Bay 4, The North Shore 3, Thessalon 10, Thornbury 1, Thorold 6, Thunder Bay 680, Tilbury 36, Tillsonburg 58, Timmins 449, Toronto 5,589, Trenton 113, Tweed 7.

Uxbridge 7.

Vanier 113, Val Rita-Harty 1, Valley East 6, Vankleek Hill 11, Vaughan 5.

Walden 2, Walkerton 9, Wallaceburg 87, Wasaga Beach 7, Waterloo 80, Watford 3, Welland 236, Wellesley 6, West Lorne 8, Westport 3, Wheatley 2, Whitby 65, Whitchurch-Stouffville 3, Wiarton 9, Winchester 11, Windsor 660, Wingham 3, Woodstock 125, Woolwich 15, Wyoming 2.

York 807.

Zorra 1.

Source: Monthly municipal priority list report (December 1987).

**92. Mr. Cousens:** Would the Minister of Housing provide an analysis of the number of individuals who will be added to the assisted housing waiting lists as a result of her announcement that low-income singles and couples without children will be eligible for assisted housing? [Tabled February 9, 1988]

**Hon. Ms. Hošek:** Needy single people are an entirely new client group for Ministry of Housing programs. Thus it is difficult to predict with any certainty the number of people who will be added to the assisted housing waiting lists.

Figures are available, however, as to the total number of single people in "core need." Households in core need are renters who cannot afford adequate, suitable rental accommodation within 30 per cent of their income; 86,000 of these households (over one third) are single people under the age of 60.

## Renter households in core need

### Ontario

Families	97,000
Seniors	71,000
Others (singles under 60)	86,000
Total	254,000

Source: Estimates by CMHC from census and Statistics Canada HIFE survey, November 1987.

Previously, 10 per cent to 20 per cent of eligible households in core need have been represented on existing local housing authority priority lists.

Ontario	Priority lists	% of core need
Families	18,300	19
Seniors	8,300	12
Disabled	2,900	N/A
Total	29,500	N/A

Note: Waiting lists for most nonprofit and co-operative projects are not centrally recorded and are not included.

Source: Ministry of Housing report on priority lists of local housing authorities and common housing priority lists, January 31, 1988.

If one assumes that this pattern will apply for needy singles, then between 9,000 and 17,000 additional households (10 per cent to 20 per cent of core need) may be added to local housing authority priority lists by the eligibility changes. Increases would occur over a period of years and would be offset in part by increases in the supply of nonprofit housing and rent supplement.

It should be noted that any increases that may occur as a result of the decision are due to a recognition by the government of the needs of single people and would not be due to changes in their existing needs.

## MINISTRY PUBLICATION

**106. Mrs. Cunningham:** Would the Minister of Skills Development provide a complete financial report on the Work, Training and Business Opportunities for Young People folder delivered to members' offices during the week of April 4, 1988, including a breakdown of all production and administrative costs, how many folders were printed, at what cost, who they were distributed to and when? [Tabled April 14, 1988]

**Hon. Mr. Curling:** The Work, Training and Business Opportunities for Young People folder is a multipurpose folder. It was produced for general use. Printing costs were \$7,483 and production costs were \$2,134. A total of 10,000 folders were printed.



The April 1988 materials relating to the government's summer programs were enclosed in these folders. These materials were distributed to all Ontario secondary schools, all Ontario post-secondary institutions, Canada employment centres in Ontario, MPPs, media and Ontario government officials.

The remaining folders are being used to distribute youth employment services material when the quantity of material requires some form of packaging.

Note: There were no marginal administrative costs to the ministry.

#### RENT REGULATION

**118. Mr. Jackson:** Would the Minister of Housing provide a copy of the logbook filed at the Toronto district office of the central region, such logbook to list every landlord application filed under section 73 or section 74 of the Residential Rent Regulation Act and to detail the following information for each application: the application number, the street name, the street number, the unit numbers (in the case of individual unit applications), the date the application was received by the Toronto district office and the requested increase reflected as a percentage of the total rent? [Tabled April 20, 1988]

See sessional paper 272.

#### TAX INCREASES

**138. Mr. Brandt:** Would the Treasurer table all reports prepared by or for him concerning the economic impact of an increase in the gasoline tax? [Tabled May 16, 1988]

**139. Mr. Brandt:** Would the Treasurer table all reports prepared by or for him concerning the economic impact of an increase in the personal income tax? [Tabled May 16, 1988]

**140. Mr. Brandt:** Would the Treasurer table all reports prepared by or for him concerning the economic impact of an increase in the retail sales tax? [Tabled May 16, 1988]

See sessional paper 273.

#### MINISTRY SPENDING

**142. Mr. Runciman:** Would the Minister of Financial Institutions provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 13.3 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**143. Mr. Runciman:** Would the Minister of Financial Institutions provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 14.8 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**144. Mr. Runciman:** Would the Minister of Financial Institutions provide a detailed explanation of the ministry's 30.4 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**145. Mr. Runciman:** Would the Minister of Financial Institutions provide a detailed explanation of the ministry's 5.8 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**146. Mr. Brandt:** Would the Minister of Intergovernmental Affairs provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 12.5 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**147. Mr. Brandt:** Would the Minister of Intergovernmental Affairs provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 16.6 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**148. Mrs. Marland:** Would the minister responsible for disabled persons provide details



of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 40 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**149. Mrs. Marland:** Would the minister responsible for disabled persons provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 400 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**150. Mr. Pope:** Would the minister responsible for native affairs provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 50 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**151. Mr. Pope:** Would the minister responsible for native affairs provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 100 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**152. Mr. Villeneuve:** Would the Minister of Agriculture and Food provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$40 million or 9.7 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**153. Mrs. Marland:** Would the Minister of the Environment provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$9 million, including the programs the funds were not spent on, the reasons why they

were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**154. Mrs. Marland:** Would the Minister of the Environment provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$21 million or 8.7 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**155. Mr. Cureatz:** Would the Minister of Correctional Services provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$20 million or 5.2 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**156. Mr. Cureatz:** Would the Minister of Correctional Services provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$13 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**157. Mr. Eves:** Would the Attorney General provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$17 million or 4.7 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**158. Mr. Eves:** Would the Attorney General provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$12 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**159. Mrs. Cunningham:** Would the Minister of Community and Social Services provide



details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$151 million or 4.2 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**160. Mrs. Cunningham:** Would the Minister of Community and Social Services provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$98 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**161. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 2.8 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**162. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 3.8 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**163. Mr. Eves:** Would the Minister of Health provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$271 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**164. Mr. Eves:** Would the Minister of Health provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$352 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consul-

tants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**165. Mr. Jackson:** Would the Minister of Education provide details of the ministry's overspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$58 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**166. Mr. J. M. Johnson:** Would the Minister of Government Services provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$21 million or five per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**167. Mr. J. M. Johnson:** Would the Minister of Government Services provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$24 million or 6.4 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**168. Mr. Jackson:** Would the Minister of Colleges and Universities provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$89 million or 4.3 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**169. Mr. Cousens:** Would the Minister of Housing provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$4 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**170. Mr. Cousens:** Would the Minister of Housing provide details of the ministry's under-



spending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$4 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**171. Mr. Cureatz:** Would the Solicitor General provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$18 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**172. Mr. Cureatz:** Would the Solicitor General provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$26 million or seven per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**173. Mr. Runciman:** Would the Minister of Consumer and Commercial Relations provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$6 million or 4.6 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**174. Mr. Runciman:** Would the Minister of Consumer and Commercial Relations provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$5 million or 4.6 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**175. Mr. Harris:** Would the Minister of Labour provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary

accounts) by \$13 million or 10.8 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**176. Mr. Harris:** Would the Minister of Labour provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$2 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**177. Mr. Jackson:** Would the minister responsible for women's issues provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 11.1 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**178. Mr. Jackson:** Would the minister responsible for women's issues provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$20 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**179. Mr. Cousens:** Would the minister responsible for senior citizens' affairs provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 66 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**180. Mr. Cousens:** Would the minister responsible for senior citizens' affairs provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 25 per



cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**181. Mrs. Cunningham:** Would the Minister of Skills Development provide details of the ministry's underspending of its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$77 million or 16.9 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**182. Mrs. Cunningham:** Would the Minister of Skills Development provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$55 million or 12 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**183. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide details of the ministry's underspending of its 1987-88 budget allocation for the capital account by \$29 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**184. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide details of the ministry's overspending of its 1986-87 budget allocation for the capital account by \$213 million or 9.4 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**185. Mr. Harris:** Would the Treasurer provide details of the ministry's underspending of its 1987-88 budget allocation for public debt interest by \$48 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, pay-

ments to individuals, payments to institutions)? [Tabled May 18, 1988]

**186. Mr. Harris:** Would the Treasurer provide details of the ministry's underspending of its 1986-87 budget allocation for public debt interest by \$36 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**187. Mr. Harris:** Would the Treasurer provide details of the ministry's underspending of its 1987-88 budget allocation for the technology fund by \$80 million or 80 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**188. Mr. Harris:** Would the Treasurer provide details of the ministry's underspending of its 1986-87 budget allocation for the technology fund by \$98 million or 98 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**189. Mr. Sterling:** Would the Minister of Citizenship provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$22 million or 11.5 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**190. Mr. Harris:** Would the Treasurer provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by 4.68 per cent, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**191. Mr. Pollock:** Would the Minister of Natural Resources provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$17 million, including the programs the funds were spent on, the reasons why they were spent and the items they



were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**192. Mr. Harris:** Would the Minister of Revenue provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$15 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**193. Mr. Wiseman:** Would the Minister of Transportation provide details of the ministry's overspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$8 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**194. Mr. Harris:** Would the Treasurer provide details of the ministry's overspending of its 1986-87 budget allocation for economic development projects by \$35 million, including the programs the funds were spent on, the reasons why they were spent and the items they were spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**195. Mr. McCague:** Would the Minister of Municipal Affairs provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$4 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**196. Mr. McLean:** Would the Minister of Tourism and Recreation provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$5 million or 3.9 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**197. Mr. Runciman:** Would the Minister of Energy provide details of the ministry's under-

spending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$13 million, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**198. Mr. Pope:** Would the Minister of Northern Development provide details of the ministry's underspending of its 1986-87 budget allocation for "other" (operating exclusive of nonbudgetary accounts) by \$17 million or 17.8 per cent, including the programs the funds were not spent on, the reasons why they were not spent and the items they were not spent on (i.e., salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**199. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's \$98 million or 4900 per cent increase in its 1987-88 budget allocation for the technology fund over its 1986-87 actual expenditure on the technology fund, including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**200. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's \$80 million or 400 per cent increase in its 1988-89 budget allocation for the technology fund over its 1987-88 actual expenditure on the technology fund, including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**201. Mr. Jackson:** Would the minister responsible for women's issues provide a detailed explanation of the ministry's \$10-million or 125 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]



**202. Mr. Jackson:** Would the minister responsible for women's issues provide a detailed explanation of the ministry's 12.5 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**203. Mr. Cousens:** Would the minister responsible for senior citizens' affairs provide a detailed explanation of the ministry's 100 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**204. Mr. Cousens:** Would the minister responsible for senior citizens' affairs provide a detailed explanation of the ministry's 250 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**205. Mr. Harris:** Would the Minister of Labour provide a detailed explanation of the ministry's \$30-million or 33.3 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**206. Mr. Harris:** Would the Minister of Labour provide a detailed explanation of the ministry's 17.7 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the

items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**207. Mr. Pope:** Would the Minister of Northern Development provide a detailed explanation of the ministry's \$24-million or 30.7 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**208. Mr. Pope:** Would the Minister of Northern Development provide a detailed explanation of the ministry's 14.8 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**209. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide a detailed explanation of the ministry's 29.4 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**210. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide a detailed explanation of the ministry's 11.1 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**211. Mr. Cousens:** Would the Minister of Housing provide a detailed explanation of the ministry's \$54-million or 26.7 per cent increase



in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**212. Mr. Cousens:** Would the Minister of Housing provide a detailed explanation of the ministry's \$82-million or 32.5 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**213. Mr. Runciman:** Would the Minister of Consumer and Commercial Relations provide a detailed explanation of the ministry's \$18-million or 16 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**214. Mr. Runciman:** Would the Minister of Consumer and Commercial Relations provide a detailed explanation of the ministry's 22.5 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**215. Mr. Cureatz:** Would the Solicitor General provide a detailed explanation of the ministry's \$49-million or 14.2 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to

individuals, payments to institutions)? [Tabled May 18, 1988]

**216. Mr. Cureatz:** Would the Solicitor General provide a detailed explanation of the ministry's 13.5 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**217. Mr. Brandt:** Would the Minister of Intergovernmental Affairs provide a detailed explanation of the ministry's 14.2 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**218. Mr. McLean:** Would the Minister of Tourism and Recreation provide a detailed explanation of the ministry's \$17-million or 14 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**219. Mr. McLean:** Would the Minister of Tourism and Recreation provide a detailed explanation of the ministry's \$6-million or 4.4 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**220. Mrs. Cunningham:** Would the Minister of Skills Development provide a detailed explanation of the ministry's \$54-million or 13.4 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary



accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**221. Mrs. Cunningham:** Would the Minister of Skills Development provide a detailed explanation of the ministry's \$30-million or 7.9 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**222. Mr. Harris:** Would the Minister of Revenue provide a detailed explanation of the ministry's \$91-million or 12.9 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**223. Mr. Harris:** Would the Minister of Revenue provide a detailed explanation of the ministry's \$36-million or 4.5 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**224. Mr. Sterling:** Would the Minister of Industry, Trade and Technology provide a detailed explanation of the ministry's 11.7 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**225. Mr. Sterling:** Would the Minister of Industry, Trade and Technology provide a detailed explanation of the ministry's \$13-million or 9.7 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**226. Mrs. Cunningham:** Would the Minister of Community and Social Services provide a detailed explanation of the ministry's \$366-million or 11.4 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**227. Mrs. Cunningham:** Would the Minister of Community and Social Services provide a detailed explanation of the ministry's \$541-million or 12.7 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**228. Mr. Cureatz:** Would the Minister of Correctional Services provide a detailed explanation of the ministry's 10.4 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**229. Mr. Cureatz:** Would the Minister of Correctional Services provide a detailed explanation of the ministry's \$23-million or 5.7 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary



accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**230. Mr. Villeneuve:** Would the Minister of Agriculture and Food provide a detailed explanation of the ministry's 9.5 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**231. Mr. Villeneuve:** Would the Minister of Agriculture and Food provide a detailed explanation of the ministry's \$28-million or 5.7 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**232. Mr. Eves:** Would the Attorney General provide a detailed explanation of the ministry's 8.7 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**233. Mr. Eves:** Would the Attorney General provide a detailed explanation of the ministry's \$29-million or 7.7 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**234. Mr. Eves:** Would the Minister of Health provide a detailed explanation of the ministry's \$845-million or 8.2 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**235. Mr. Eves:** Would the Minister of Health provide a detailed explanation of the ministry's \$1,114,000,000 or 9.8 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**236. Mr. Pollock:** Would the Minister of Natural Resources provide a detailed explanation of the ministry's 8.1 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**237. Mr. Pollock:** Would the Minister of Natural Resources provide a detailed explanation of the ministry's \$5-million or 0.9 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**238. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's eight per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds



were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**239. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's 7.4 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**240. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's \$281-million or 7.9 per cent increase in its 1987-88 budget allocation for public debt interest over its 1986-87 actual expenditure on public debt interest, including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**241. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's \$308-million or 8.1 per cent increase in its 1988-89 budget allocation for public debt interest over its 1987-88 actual expenditure on public debt interest, including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**242. Mr. Jackson:** Would the Minister of Colleges and Universities provide a detailed explanation of the ministry's \$142-million or 6.5 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**243. Mr. Jackson:** Would the Minister of Colleges and Universities provide a detailed explanation of the ministry's \$172-million or 7.4 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary

accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**244. Mr. McCague:** Would the Minister of Municipal Affairs provide a detailed explanation of the ministry's \$50-million or 5.8 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**245. Mr. McCague:** Would the Minister of Municipal Affairs provide a detailed explanation of the ministry's \$54-million or 5.9 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**246. Mr. J. M. Johnson:** Would the Minister of Government Services provide a detailed explanation of the ministry's 5.7 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**247. Mr. J. M. Johnson:** Would the Minister of Government Services provide a detailed explanation of the ministry's 14.1 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]



**248. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide a detailed explanation of the ministry's \$102-million or 4.1 per cent increase in its 1987-88 budget allocation for the capital account over its 1986-87 actual expenditure on the capital account, including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**249. Mr. McCague:** Would the Chairman of Management Board of Cabinet provide a detailed explanation of the ministry's \$457-million or 17.9 per cent increase in its 1988-89 budget allocation for the capital account over its 1987-88 actual expenditure on the capital account, including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**250. Mrs. Marland:** Would the Minister of the Environment provide a detailed explanation of the ministry's \$4-million or 1.5 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**251. Mrs. Marland:** Would the Minister of the Environment provide a detailed explanation of the ministry's \$23-million or nine per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**252. Mr. Wiseman:** Would the Minister of Transportation provide a detailed explanation of the ministry's \$9-million or 1.4 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and

the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**253. Mr. Wiseman:** Would the Minister of Transportation provide a detailed explanation of the ministry's \$28-million or 4.2 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**254. Mr. Jackson:** Would the Minister of Education provide a detailed explanation of the ministry's \$3-million decrease in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were not to be spent on, the reason why the funds were not to be spent and the items the funds were not to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**255. Mr. Jackson:** Would the Minister of Education provide a detailed explanation of the ministry's \$268-million or 6.2 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**256. Mr. Sterling:** Would the Minister of Citizenship provide a detailed explanation of the ministry's \$2-million or 0.9 per cent increase in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**257. Mr. Sterling:** Would the Minister of Citizenship provide a detailed explanation of the ministry's 24.1 per cent increase in its 1988-89



budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**258. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's \$1-million or 2.8 per cent decrease in its 1987-88 budget allocation for economic development projects over its 1986-87 actual expenditure on economic development projects, including the programs the funds were not to be spent on, the reason why the funds were not to be spent and the items the funds were not to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**259. Mr. Harris:** Would the Treasurer provide a detailed explanation of the ministry's \$1-million or 2.9 per cent decrease in its 1988-89 budget allocation for economic development projects over its 1987-88 actual expenditure on economic development projects, including the programs the funds were not to be spent on, the reason why the funds were not to be spent and the items the funds were not to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**260. Mr. Runciman:** Would the Minister of Energy provide a detailed explanation of the ministry's \$1-million or 3.2 per cent decrease in its 1987-88 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1986-87 actual expenditure on "other," including the programs the funds were not to be spent on, the reason why the funds were not to be spent and the items the funds were not to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**261. Mr. Runciman:** Would the Minister of Energy provide a detailed explanation of the ministry's 13.3 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to

individuals, payments to institutions)? [Tabled May 18, 1988]

**262. Mr. Pope:** Would the minister responsible for native affairs provide a detailed explanation of the ministry's 150 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**263. Mrs. Marland:** Would the minister responsible for disabled persons provide a detailed explanation of the ministry's 66.6 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**264. Mr. Wiseman:** Would the Minister of Culture and Communications provide a detailed explanation of the ministry's 10.1 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**265. Mr. Pollock:** Would the Minister of Natural Resources provide a detailed explanation of the ministry's \$5-million or 0.9 per cent increase in its 1988-89 budget allocation for "other" (operating exclusive of nonbudgetary accounts) over its 1987-88 actual expenditure on "other," including the programs the funds were to be spent on, the reason why the funds were to be spent and the items the funds were to be spent on (i.e., staff salaries, consultants, supplies, payments to individuals, payments to institutions)? [Tabled May 18, 1988]

**Hon. Mr. Elston:** Questions 142 to 265 all pertain to expenditures which have taken place, or are planned to take place, covering the three fiscal years 1986-87, 1987-88 and 1988-89. To attempt to answer all these questions would not

only be extremely costly and time-consuming for the staff of all the ministries concerned but, more importantly, would be undermining the established procedures for the conduct of business in this House.

The detail being asked of each ministry with regard to expenditures which have already occurred should be raised at the time that the public accounts committee examines the accounts for the ministry concerned. Questions with regard to increases or decreases in budget allocations should be raised during the review of each ministry's estimates, for which ample time is normally set aside to cover the questions now being raised.

Each minister has been provided with a copy of all questions directed to his ministry. These questions may be considered in the estimates for each ministry.

#### INTERIM ANSWER

**137. Mr. Wildman:** Hon. Mr. Kwinter—Although the question was asked of the Chairman of Management Board of Cabinet, the Ministry of Industry, Trade and Technology will be co-ordinating the government-wide response. The final answer will be forthcoming on or about July 15, 1988.

#### RESPONSE TO PETITION

##### RETAIL STORE HOURS

Sessional paper P-7, re Sunday shopping.

**Hon. Mrs. Smith:** The government has concluded that municipalities should have the option to decide retail hours on Sundays and other holidays and has introduced legislation to accomplish this.

The legislation recognizes that attitudes and conditions vary widely across the province and that municipal governments are in the best position to determine, locally, appropriate approaches to this issue. It should be emphasized that this does not imply wide-open Sunday shopping. Those municipalities that wish to open may do so. Those that wish to restrict Sunday shopping may require retailers to remain closed on Sunday.

The Minister of Labour has introduced legislation which will establish the right of all retail workers to refuse Sunday work, which is in their view unreasonable. That legislation will protect workers against reprisals and provide for mediation to resolve situations in which the parties cannot agree.

The current situation clearly needs to be addressed. Inconsistencies in the present legislation have led to unfairness and uneven enforcement of the law. The proposed amendments will ensure that the law is fair and enforceable.



**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breough, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Oriole L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cunningham, Dianne E. (London North PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)</p> | <p><b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)<br/> <b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaître, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Miclash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)</p> |
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 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)

**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)

**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)

Offer, Steven (Mississauga North L)

**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)

O'Neill, Yvonne (Ottawa-Rideau L)

Owen, Bruce (Simcoe Centre L)

**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)

Pelissero, Harry E. (Lincoln L)

**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)

Philip, Ed (Etobicoke-Rexdale NDP)

**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)

Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)

Pollock, Jim (Hastings-Peterborough PC)

Polsinelli, Claudio (Yorkview L)

Poole, Dianne (Eglinton L)

Pope, Alan W. (Cochrane South PC)

Pouliot, Gilles (Lake Nipigon NDP)

Rae, Bob (York South NDP)

**Ramsay, Hon. David**, Minister of Correctional  
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Ray, Michael C. (Windsor-Walkerville L)

Reville, David (Riverdale NDP)

Reycraft, Douglas R. (Middlesex L)

**Riddell, Hon. Jack**, Minister of Agriculture and  
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Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)

Runciman, Robert W. (Leeds-Grenville PC)

Ruprecht, Tony (Parkdale L)

**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)

Smith, David W. (Lambton L)

**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)

Sola, John (Mississauga East L)

**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)

South, Larry (Frontenac-Addington L)

Sterling, Norman W. (Carleton PC)

Stoner, Norah (Durham West L)

Sullivan, Barbara (Halton Centre L)

Swart, Mel (Welland-Thorold NDP)

**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)

Tatham, Charlie (Oxford L)

Velshi, Murad (Don Mills L)

Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)

**Ward, Hon. Christopher C.**, Minister of  
 Education (Wentworth North L)

Wildman, Bud (Algoma NDP)

**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)

Wiseman, Douglas J. (Lanark-Renfrew PC)

**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)

**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in  
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 of committees, brought up to date as necessary,  
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No. 79

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario



**First Session, 34th Parliament**

Tuesday, June 14, 1988

Speaker: Honourable Hugh A. Edighoffer

Clerk of the House: Claude L. DesRosiers



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Contents of the proceedings reported in this issue of Hansard appears at the back, together with an alphabetical list of members of the Legislative Assembly of Ontario.

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# LEGISLATIVE ASSEMBLY OF ONTARIO

Tuesday, June 14, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### SEXUAL ASSAULT

**Ms. Bryden:** Last April, the Metro Action Committee on Public Violence against Women and Children hosted a forum at the Toronto city hall entitled Stopping Rape II. It was attended by a cross-section of people working in the field, including police, health care professionals, social workers and persons working in the criminal justice field and rape crisis centres.

The committee has recently produced a five-page summary of the recommendations which emerged from this forum. The action proposals are a lot more far-reaching than the \$600,000 media and educational campaign initiated in June by the government. Specifically, the summary identifies six ministries which are asked to take action to implement the proposals. I hope the minister responsible for women's issues (Mr. Sorbara) will undertake to see that his ministry and others produce action programs in their fields immediately.

Those from the Liberal Party who spoke stated their commitment, but we have seen much talk and little action in the field of solving the serious problem of sexual assault across the whole province, also of helping the rape crisis centres and the Barbra Schlifer Commemorative Clinic. This is what we are looking for in the way of action from this committee.

### UNIVERSITY FUNDING

**Mr. Jackson:** The Minister of Colleges and Universities (Mrs. McLeod) had great expectations for her ministry in October. However, the Treasurer (Mr. R. F. Nixon) obviously has had another idea in April. All school year long we heard commitment after commitment from the minister. The post-secondary education community warmed to the idea of more programs but warned that all these programs came with a big price tag.

In April, when the Treasurer tabled his budget, the university community itself was told implicitly that it was now its job to find the funds to pay

for ministry programs. Right now, nearly a dozen Ontario universities are carrying out fund-raising efforts. In light of the fact that it has failed to live up to its commitment in funding for post-secondary education, it is incumbent upon the government to assist these efforts in every possible way.

At the University of Toronto, for example, the government could provide a relatively inexpensive five-year capital plan which would assist the university in raising funds from alumni and other private sector sources. As well, the university might benefit from a dollar-for-dollar fund-raising effort for certain programs.

The bottom line is that if universities are going to send out into the hustings to raise money, the government is going to have to take a proactive role in assisting them in this regard.

### 1987 CONSTITUTIONAL ACCORD

**Mr. Daigeler:** Many members of this House, as well as independent observers, were very impressed by the submission of the Attorney General (Mr. Scott) to the select committee on constitutional reform. I share these sentiments and I wish to congratulate the Attorney General for an excellent explanation of the benefits and limits of the Meech Lake accord.

At the same time, I feel this document is primarily addressed to the minds of people. My concern is that we also need some initiatives that would speak to the hearts of our nation. I am sure members will agree that nation-building is not only a process of the mind and of the will but equally of emotions and feelings. My hope is that a way be found that will stir our collective pride about Quebec's place in Confederation in a way that Expo 67 did some 20 years ago.

I invite the Prime Minister and any interested provincial government to bring together some of the leading pro-Canada voices in the Quebec referendum and to invite them on a speaking tour across Canada. As I see it, such an initiative should help to dispel some of the misinformation that still exists on the Meech Lake accord and, at the same time, to strengthen our understanding of Quebec's legitimate expectations.

### TOURISM IN NORTHERN ONTARIO

**Mr. Hampton:** I have before me a map, the map that has appeared in major US newspapers



across midwestern United States. It was placed there by the Ministry of Tourism and Recreation, advertising tourism in northwestern Ontario.

The sad thing about this map is that when one looks at it, one would believe there are only three communities in northwestern Ontario: Kenora, Fort Frances and Dryden. In fact, the three communities which probably do not need tourism as much as the rest of the northwestern part of the province appear on this map, but the communities which are being told by this government to invest in tourism do not appear on the map. Quetico Provincial Park, Thunder Bay, Atikokan, Rainy River and Sioux Lookout do not appear on the map. All other communities which have been told by this government, "Invest in tourism," do not even appear on the map.

This is disgraceful. If the Ministry of Tourism and Recreation is going to invest money advertising in the United States, at least it should advertise the communities that need tourism dollars and are pursuing tourism.

#### RECREATION TRAIL

**Mr. Pollock:** Last Thursday, staff of the Minister of Natural Resources (Mr. Kerrio) contacted me in regard to an abandoned railroad line in my riding, known as the Marmora subdivision. They informed me that the minister had a commitment in eastern Ontario on Friday afternoon but would be available to tour the railroad line in the morning. We checked our schedules and agreed to meet at Canadian Forces Base Trenton at 8:30 Friday morning.

Conditions were excellent for our flight, enabling us to view this line clearly. I am sure the minister would agree with me that this line travels through mostly rough terrain. Although the minister did not make a commitment, I appreciate his taking time out of his busy schedule to see this abandoned railroad line.

I hope the standing committee on resources development will also take the opportunity to view this abandoned line and also hear briefs from concerned citizens' groups that would like to see this abandoned railroad line be a recreation trail.

#### NORTHERN STUDIES

**Mr. Adams:** I rise to draw the attention of this House to the importance of northern studies in our educational institutions. The north is a keystone of the heritage of Canada and of this province. Many of our colleges and universities, including those in northern Ontario, have fine records in study and research related to the north.

The fields involved include native studies, health sciences, engineering, geography, biology, forestry, history and many others.

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Through this work, these institutions have contributed to the proper development of northern Canada and to the proper development of the entire circumpolar world. I urge both the Minister of Colleges and Universities (Mrs. McLeod) and the Minister of Education (Mr. Ward) to keep this important and useful area of academic work in the forefront of their minds when making decisions about education in this province.

Through northern studies, our schools, colleges and universities in this province can make an important contribution towards safeguarding the sovereignty of Canada's north.

#### VIDEO DISPLAY TERMINALS

**Mr. R. F. Johnston:** Once one has been here for nine years, one gets a sense of déjà vu about a number of things. Reading in the paper this morning that the issue around the safety of video display terminal operators is still a hot one reminded me today that it was in 1981 that I introduced An Act for the Protection of Video Display Terminal Operators. New studies are showing that there may be a difficulty with the radiation that comes from this equipment.

My bill at that time called for total shielding and regular inspection, and the government of the day is arguing against its employees, saying that there is no problem, that we do not need to give this kind of protection.

I want the House to know that in our caucus we have now shielded all our caucus equipment. We are in the process of trying to shield the equipment in the members' offices, because that is under the government's authority and we are still having trouble getting it to get its inspectors in and to get us the proper shielding for our equipment that we should have.

It is time, it seems to me, that we erred on the side of caution, as I suggested we should do in 1981, that we make sure there are no emissions from these machines which are out and around, and that we do not wait for some study to show these problems are real and that the kind of problems with birth defects and with early cancellation of pregnancies do not continue.

#### ACCESS TO INFORMATION

**Mr. B. Rae:** On a point of order, Mr. Speaker: I want to raise with you a question arising from some correspondence that my staff has had with



the Ministry of Health. We have received a copy of a letter signed by Malcolm Walker, who is the director of the institutional operations branch, sent to the 22 hospitals that had a review done of their activities.

The letter said: "This letter is to request that the report of the consultants, following the operational review of your hospital, is available to interested individuals, in order to fulfil the requirements of the freedom-of-information legislation.

"A copy of the report should be made available in the library or reading room of your institution. Thank you for your co-operation."

The research director for the New Democratic Party then wrote to Linda Heslegrave, of the freedom of information office at the Ontario Ministry of Health, asking for a copy of each of the reviews. Mr. Rachlis got back a letter, on May 27, saying that it would be looked at. Then, on June 8, 1988, he received a letter saying, "Further to your access request under the Freedom of Information and Protection of Individual Privacy Act, please be advised that the estimated fee for the record you have requested is \$650." This letter then goes on to say, "You may request a review of this decision by the Information and Privacy Commissioner, Mr. Sidney Linden."

Mr. Speaker, I know your ruling yesterday and I obviously listened to it with considerable interest, but I would like to ask that on agreement of the three House leaders, perhaps this question could be referred to the relevant committee of the House, which could look at this question.

I can tell you, I am not prepared to see the use of an unwarranted and unjustifiable user fee prevent me and my party from having access to information which is supposed to be publicly available.

**Hon. R. F. Nixon:** Put it on the order paper.

**Mr. B. Rae:** The Treasurer says, "Put it on the order paper."

All I know is that with this kind of unwarranted delay, if the information is publicly available in every hospital, if it is there, why jerk everybody around for weeks on end in order to get access to it?

**Mr. Speaker:** Order. I listened very carefully. The member has suggested that the Speaker might, as I understood it, request that the House leaders consider the matter. I believe in my ruling yesterday I made reference to this matter and stated that it would be up to the House to decide. So you have brought the matter to the attention of the House leaders.

**Mr. D. S. Cooke:** On a point of order, Mr. Speaker: The three House leaders did discuss this matter when the matter had originally been raised by the member for Carleton (Mr. Sterling). There was agreement by the three House leaders that this matter could be referred to the standing committee on the Legislative Assembly.

Would it not be appropriate for that to be done, since both other House leaders are here now that there be agreement that this matter be referred to the Legislative Assembly committee now?

**Hon. Mr. Conway:** The member for Windsor-Riverside (Mr. D. S. Cooke) quite rightly points out that we did discuss this matter when it was first brought to the House's attention some time ago. Certainly, on behalf of the government, I am quite agreeable to having this matter referred to the standing committee on the Legislative Assembly since, in addition to this particular matter or this particular aspect of freedom of information, that committee is going to be dealing with other aspects of the freedom-of-information question later this summer.

I would be more than happy, consistent with the discussions we had at the House leaders' panel, to indicate the government's willingness to refer this matter out to the standing committee on the Legislative Assembly for such consideration as that committee decides upon.

**Mr. Speaker:** Following that discussion, I guess I have nothing further to add, other than to indicate that on a previous occasion I did rule that matters should be referred by this House. I presume that will be taken into consideration at the appropriate time.

## STATEMENT BY THE MINISTRY

### LOTTERY TICKETS

**Hon. R. F. Nixon:** I am making this statement on behalf of my colleague the Minister of Tourism and Recreation (Mr. O'Neil). I want to inform the members of the House today that Money Match and Double Dollars Instant lottery tickets have been withdrawn from sale across the province because of a security problem. Tickets for other games, including the Lucky Match Instant game, are secure and will remain on sale.

The tickets are being recalled because the Ontario Lottery Corp. received important information this morning which allowed it to duplicate tests revealing symbols under the latex covering on the tickets. Supply of these tickets to the corporation's distributors had been halted early yesterday morning as a precautionary measure.



Regular security testing is carried out on all OLC tickets by the official laboratory of the National Association of State and Provincial Lotteries, Barker and Herbert. The tickets for each game passed a battery of tests, including X-ray, three times. These tests did not reveal any security breach.

I am advised that the type of equipment used to reveal the security problem is specialized and used in highly sophisticated industrial applications. There are very few of these machines in Canada and they are not readily available.

The lottery corporation's testing has always been among the most intensive on the continent. It will continue to evaluate its security testing procedures to ensure it is keeping abreast of changes in technology.

## RESPONSES

### LOTTERY TICKETS

**Mr. Farnan:** We welcome the decision of the Ontario Lottery Corp. to withdraw these tickets from the marketplace. I would like to comment, and I think it is worth reading into the record, that I think the decision is a result of some very excellent investigative journalism on the part of two Toronto Sun reporters.

I would like to point out that in tests that were demonstrated yesterday, both the Ontario Lottery Corp. and ministry officials were invited to witness the tests, which would demonstrate that with the use of X-rays you could read these numbers without scratching the tickets. Both the ministry and OLC refused to attend those tests.

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Second, as late as last night, representatives of the OLC were denying the fact that it was possible to read these tickets. It has been proved beyond a shadow of a doubt. The public demands that if there is going to be a lottery, it must be above reproach. The public must have absolute confidence that the system cannot be cracked. I think it was proved yesterday that, indeed, these two particular tickets could be read using X-rays.

I think it is also important to point out that all scratch-and-win tickets should be removed at this stage. If you had told the ministry two weeks ago that X-rays could crack this system, it would have said no. Indeed, even after the Sun had demonstrated yesterday that the system could be cracked, OLC officials were denying that it was so.

The people of Ontario and Canada cannot have confidence because, basically, we are talking about machinery that is out there. There are a variety of factors and all it requires is some

fine-tuning to break the code of those other tickets. The responsible thing for this government to do would be to act now. The reason they will act on the tickets in question is that they have been embarrassed, because it has been proven beyond a shadow of a doubt. But what they are doing now is saying: "We were embarrassed. We will withdraw these two tickets but we are not going to withdraw all of the other tickets."

Let me tell the government that public confidence in the OLC with regard to scratch-and-win tickets is nilch. There can be no confidence among the people of Ontario and, of course, the people of Ontario just have to look at the minister right now and see that the Deputy Premier (Mr. R. F. Nixon) does not give two whits about the people of Ontario. He can go on and have all sorts of conversations. He does not have to listen to what the opposition says. He can simply ignore what is going on in this House. The reality of the matter is that those people who are spending one or two dollars on a system that is open to abuse will continue to do so while the Deputy Premier of Ontario does not care a whit and carries on his private conversations.

**Mr. Pope:** I want to say to the Minister of Tourism and Recreation (Mr. O'Neil), who has responsibility in the Legislature for the operation of this system, that once again he has bungled. This is the third time in a week we have seen bungling and mismanagement by this particular minister in his responsibilities. First, we have seen that the tickets posed a security leak. Second, we have seen the printing of tickets in the United States. Third, we have seen prizes offered that are not readily available to residents across this province.

This minister is responsible for it. It has gotten completely out of control. He has to be answerable to this Legislature for it. We now have large portions of northern Ontario that cannot participate equally in the awarding of prizes under the systems that have been implemented under his guidance and under his responsibility.

It is time the minister took his responsibilities seriously. It is time he redressed this blatant discrimination against people in northern Ontario and it is time he offered, as an alternative to commercial prizes in our lottery system, a system of passes or rebates on passes to the Polar Bear Express, to the mine tour, to the pulp and paper path tour and to tourism facilities, services and attractions across Ontario—in eastern Ontario and northern Ontario—and stop the bungling with the



lottery system that the Liberal government is responsible for.

## ORAL QUESTIONS

### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. B. Rae:** In view of the absence of the Minister of Health (Mrs. Caplan) and the Premier (Mr. Peterson), I would like to ask some questions of the Treasurer arising out of our discussions yesterday about the Cambridge Memorial Hospital. They relate, I believe, more profoundly to questions about the perceived fairness, the sense of fairness in the province about the way a ministry, which has an awful lot of power and a very large budget, uses that power and wields that power in its dealings with individual hospitals and hospital boards.

The Treasurer will have been made aware, or at least he should have been made aware, that Mr. Robertson, who is now the administrator of the board, has submitted his resignation to the board, but the board has yet to reach a decision on what to do.

Because the board has the support of the Woods Gordon study, which states very clearly that management of the hospital is not the problem and that indeed Mr. Robertson is "a highly capable individual who is well regarded by his peers," to quote the words of the Woods Gordon report, if the board feels in its wisdom and judgement that it should not accept Mr. Robertson's resignation, can the Treasurer give us the commitment of the government that the government will not exact any further requirements from the board other than that the board, generally speaking, comply with government policy? In other words, do we have the assurance that the board and the hospital will not be punished by the government?

**Hon. R. F. Nixon:** The matter was raised by a number of honourable members yesterday in question period. I said then, and I say now, that the decision as to the employment of the administrator of the hospital under consideration is a decision made by the local board.

I should say further that when the honourable member is talking about government policy, we have endeavoured in what I think is a reasonably generous way and a planned way to see that hospitals are adequately funded across the province.

As a matter of fact, the honourable members have expressed their concern that recent tax increases, particularly when related to growth in the economy, have increased the revenues of the province substantially. The honourable members

would know, having read the budget, that 40 per cent of those additional revenues have been added to the budget of the Ministry of Health, a large proportion of that money being allocated to hospitals, so any thought that there is a cutback in hospital funding is erroneous.

But on that basis, we do believe that the hospitals, having entered into a budget for the allocation of funds for the provision of hospital services in the community, should do their best to live within that budget. If they cannot, they must apply to the Ministry of Health for the kind of assistance in planning and administration that is appropriate.

In the instance of the hospital in question, the Minister of Health sent in an inspector to assist the board and the administration in coming to some suitable disposition of their budgetary problems. If the board finds that it—

**Mr. Speaker:** Thank you. Supplementary.

**Mr. B. Rae:** This is very important. This is not simply a question of underfunding. What we are dealing with here is a question of the fairness of the system as it relates to individuals who work within that system.

The board had a press conference. Mr. Robertson was very vocal at that press conference in defending, from his perspective, what the board had been trying to do and what the hospital had been trying to do.

The government's response to that was to send in Mr. Stoughton with some very specific goals in mind. What we are now dealing with is whether or not this government is prepared to recognize that it may also be wrong and that in fact the Woods Gordon report may be right.

What I am asking the Treasurer is, notwithstanding his differences of opinion with the Cambridge Memorial Hospital, can he give us an assurance today that he is not exacting or requiring or insisting on, in any way, the punishing or firing or mandatory retirement of the administrator of the Cambridge Memorial Hospital? I am asking him a very specific question. I would like a specific answer.

**Hon. R. F. Nixon:** I can assure the honourable member that there is no such insistence, and it does not seem reasonable that he would think there would be.

**Mr. B. Rae:** I am glad to have that now on the record because that is going to be very important in how the Cambridge Memorial Hospital reaches its decision. If the Ministry of Health is giving the impression that this is the requirement in order for future co-operation between the



ministry and the hospital, then the hospital board is in an impossible position.

I ask the Treasurer again, can he give us the categorical assurance that whatever the board does with respect to the employment of Mr. Robertson, the government will continue to co-operate in a positive way with the Cambridge Memorial Hospital in making sure that that hospital can meet its needs?

**1400**

**Hon. R. F. Nixon:** I am not the Minister of Health but I am the Treasurer and I feel it is important that all hospital boards, through their own decisions and through their decisions to employ administrators, have sufficient assistance and advice so that they can live up to the requirement of operating under a balanced budget, if at all possible.

I add that as an additional phrase simply to make it clear that all hospital boards, naturally, have access to the ministry's officials and those people who are familiar with the administration of hospitals coming under budget so that they can meet those requirements.

The decision as to whom the hospital boards employ, in Cambridge or anywhere else, is entirely theirs.

**Mr. B. Rae:** Perhaps it would be a good idea if those words could be taken directly to the Deputy Minister of Health, who would then discover that he is not responsible for appointing or firing every single person who works in the health system in this province.

**Mr. Speaker:** The question is to whom?

#### PROPERTY SPECULATION

**Mr. B. Rae:** My question, by way of an additional leader's question, which I appreciate always, is to the Treasurer as well, because he is here and I know he will glad to assist me.

It deals with the subject of housing. Again, I ask the Treasurer this not because I would prefer to go to him, for a variety of reasons, but because the Premier (Mr. Peterson) is not here and the Minister of Housing (Ms. Hošek) is also away today. So he gets the prize.

Interjection.

**Mr. B. Rae:** Watch the neck, Treasurer; I hate to see it get too red.

The question I have for the Treasurer is this: Yesterday I raised in the House the example of the tenants at 914 Yonge Street who are living in what I described as hidden condos. I would like also now to ask the Treasurer to address another

problem that tenants who are being evicted are having.

Tenants in Kitchener-Waterloo, at 24 Peppler Street, and tenants at 500, 504 and 520 Kingston Road have all been evicted in order to create an empty building which is then being converted into condominiums. I ask the Treasurer, why has he not plugged the loophole in the law which allows landlords to create empty buildings which are then exempt from any protection under our laws on conversions to condominiums? Does he not realize that in failing to close that loophole—

**Mr. Speaker:** The Treasurer. Order. The question has been asked.

**Mr. B. Rae:** —in fact he is putting these people out on the street?

**Hon. R. F. Nixon:** The honourable member referred to my getting the prize. I am not sure what he was referring to unless he was thinking of a prize in terms of his own presence here, in which case I know it is not Christmas. Since the question had a certain degree of detail, I would be glad to bring that to the attention of my colleague the Minister of Housing on her return.

**Mr. B. Rae:** Just so the Treasurer will know, he persists in saying that when it comes to the matter of speculation on housing he is from Missouri and, being only the Treasurer of Ontario, he is not aware of what is going on in the marketplace.

I would like to refer him very specifically to the example of what has been going on on Kingston Road, which is not that far a drive along through the east end from Queen's Park. Let me remind the Treasurer that there is a 102-unit apartment complex which was sold on December 30, 1986, for \$1.7 million. On September 1, 1987, the building was sold again, this time for \$3.6 million, which means it increased by 114 per cent in just eight months.

The question I have for the Treasurer is, how can he deny that there is speculation going on in the province when it is so visibly and palpably there for him to see, if only he would see it? If it is going on, why does he not do more to stop it by introducing a speculation tax in the province?

**Hon. R. F. Nixon:** The facts the Leader of the Opposition presents to the House I am not prepared to argue about, but he would be aware that people have made profit out of land and buildings for a long time. I did not know it was illegal to do so, but the honourable member points out areas of unconscionable profits, in his view.



The government policy, rather than moving in with the land speculation tax which he favours, is to use the strength of government and its organization to assist, with the co-operation of municipalities, and to allocate the funds in our budget year by year to strong and effective programs to improve the supply of housing, particularly in the affordable range.

While the Leader of the Opposition so far has not indicated to the House that he feels even those programs are sufficient, they do indicate one of the largest additional allocations in a budget of over \$38 billion. I wish it were more effective than it is and I wish the money were larger in sum than it is, but in fact it constitutes an effective and well-administered approach to providing the housing needs in this province.

**Mr. B. Rae:** The Treasurer has a choice before him. He can turn a blind eye to what is going on in the marketplace and say: "It is just people making money. There is nothing wrong with that." It is part of the system that he is so much in favour of. Or he can really ask himself the question: Why is this speculation in apartment buildings going on? The answer is that landlords believe they can drive a truck through the rent review law, they believe they can drive a truck through the Rental Housing Protection Act; and that is what they are doing.

In this instance that I have given the Treasurer, can he tell us why there has been—

**Mr. Reville:** This will be a good answer.

**Mr. B. Rae:** He is getting advice from the former Minister of Housing, now the Minister of Skills Development (Mr. Curling), so I am just waiting for them.

Interjections.

**Mr. B. Rae:** I think he was looking for a straw and got a brick. I am not quite sure.

I will ask the Treasurer this simple question: Can he tell us why it is that people are being evicted and put out on the street? For the simple reason that the landlords have taken over. They have bought the building and they have to get that cash flow. They are getting the cash flow by evicting people and by converting buildings into condominiums. Does he not understand that this is going on? Why does he not do something to stop it?

**Hon. R. F. Nixon:** Actually, I was consulting with my colleague as to whether the New Democratic Party had voted for the rent control law. The member will be glad to know that he told me they had not. Even in those days, they voted for most of those things, as I recall.

The honourable member says, "Do you know why this is so?" I guess the reason it is so is that, as I understand it, Toronto has become—dare I use the adjective?—a world-class city, and I think we should say so with pride. People from all over the world are locating here.

Because of the policies of this administration in opening up the business expansion in this province and in this city, people all over the world are coming into this particular jurisdiction seeking the opportunity to live in one of the finest, cleanest, safest cities to be found anywhere. On that basis, there is bound to be substantial competition.

I point out to the honourable member, who has not travelled anywhere since he got back from Beijing, that if we were to compare the costs of housing in this city with others, they would be only a quarter of what they are in New York; only half of what it costs in London; only an eighth of what it costs in Tokyo. Of course, in Beijing, you have to be a Communist to get housing at all.

Interjections.

**Mr. Speaker:** Order.

#### SKYDOME

**Mr. Brandt:** My question is to the Treasurer, whenever he and the Leader of the Opposition (Mr. B. Rae) are finished.

I would like to say to the Treasurer that his humility in suggesting that Toronto has become a world-class city in the last three years is totally overwhelming; it really is. The speed with which he has developed this community is just unbelievable—"unbelievable" in the context of not being believable. I want him to know that.

1410

My question is with respect to another world-class development in this community, which was started by a previous administration and, I might add, a project our party continues to endorse and support as long as that support remains reasonable and realistic. I speak, of course, of the SkyDome project.

The Premier (Mr. Peterson), as the Treasurer may recall, indicated that support for the SkyDome project would not exceed \$30 million in terms of provincial participation. In light of the work stoppages which are going on at that site at the moment, can the Treasurer and the Deputy Premier indicate to this House whether the commitment for an upper limit of \$30 million in provincial contributions to that project remains firm?

**Hon. R. F. Nixon:** It does.



**Mr. Brandt:** I wonder how that washes, as the Treasurer is the guardian of the public purse in his position, with the Premier's statement indicating the province will have to pay if SkyDome develops money problems. He went on to say: "If the thing goes amiss, we end up carrying the responsibility. We end up carrying the liability." Can the Treasurer explain the contradiction between the comment he has just made, namely, that the limit for provincial contributions is \$30 million, and the Premier's indicated statements, which would lead one to believe that there is no upper limit and that the government will have to fund the liability? How did that contradiction come about?

**Hon. R. F. Nixon:** I do not consider it a contradiction, mostly because nothing is going to go wrong.

**Mr. Brandt:** I love these quick answers to complicated questions.

Let me ask the Treasurer if he recalls, on August 15, 1985, that the standing committee on public accounts asked the Provincial Auditor to investigate the SkyDome project in order to protect the interests of the Ontario taxpayer with respect to any open-endedness in terms of the ultimate cost of that project and any potential areas for cost overruns, such as we are experiencing now.

The chief recommendation that came from the Provincial Auditor on that occasion was that we should undertake a commitment on a fixed-price basis; in other words, we would make our commitment with that \$30 million as a built-in upper limit. I would like to ask the Treasurer if that step was taken, as suggested by the Provincial Auditor, in order to protect the interests of the Ontario taxpayer. If it was not taken, why was it not taken?

**Hon. R. F. Nixon:** I find myself in the interesting situation that, as a person who is only peripherally interested in organized sports, I am the single shareholder of the Stadium Corp. of Ontario Ltd. I inherited that from the responsibility of one of my predecessors—in fact, the member's predecessor—Mr. Grossman, who now, according to the Financial Times, is employed downtown at a base salary of \$500,000 a year. That is irrelevant, but it is an indication that you win by losing in this game. As I say, you win by losing in this game, but unfortunately the Leader of the Opposition loses and loses.

If there is an overrun—and I do not believe there will be any significant one—and this strike continues—I go by the dome twice a day and see what is happening as I drive along and look. It is

coming along very well indeed, but as the member knows, the stadium corporation has a line of credit that finances the construction based on the financing which is in place. Those additional costs, if there are any, will be taken out of the profits when it is up and running and the roof opening and closing regularly and a very good and substantial series of public programs there, including football, baseball tractor pulls and ballet dancing. All of those things are going to be there—

**Mr. Speaker:** Thank you. Order.

#### REGULATION OF BOILERS

**Mr. Runciman:** I have a question for the Minister of Consumer and Commercial Relations. This week the minister issued a press release ordering escalator owners to check their brakes. I wonder if the minister, the great defender of public safety, can tell us why, if he wants to appear consistent with his concern for public safety, he has not asked for a new, independent assessment of the safety of the boiler produced by Miura.

**Hon. Mr. Wrye:** The two are not the same at all. The independent assessment has been done. It has been done by the board of review, technical experts who have indicated to me that the boiler is safe. Indeed, it not only meets but exceeds the standards. It has, as well, been done by members of the technical standards division of the ministry. In 1986, in doing that assessment, the members of that division ordered several improvements to be made in the Miura boiler which would bring it up to the very rigorous standards that we have in Ontario and would take it beyond the standards of the very safe Miura boilers that are now in operation in Japan.

**Mr. Runciman:** The minister mentioned the review board again. He has indicated in this House that he made his decision based on the recommendation of an inspector who accepted a substantial personal benefit—a free trip to Japan for his wife—from the company he was inspecting, and the minister acknowledged that.

The International Union of Operating Engineers, after the changes the minister has mentioned, says the regulatory change is an open invitation to boiler explosions and damage to life and limb. Again, following these changes, the former member of the minister's board of review who represented the Institute of Power Engineers said, "I think there will be a safety problem." How does the minister justify his refusal in the light of those comments and the revelations about his inspector's conduct?



**Hon. Mr. Wrye:** If the honourable member is making a suggestion that the judgement of the former director of the branch was compromised, then he should stand up and say so.

I say to my honourable friend that in June 1986, following the visit to Japan, technical standards officials asked for improvements in quality control programs, and they were upgraded to the same level as those required of an Ontario-based manufacturer.

As well, in order to meet our design and fabrication standards for the boilers, we required Miura to make improvements in the following areas to meet our codes in Ontario: material control, welding quality of critical joints, post-welding stress relieving by heat treating and X-rays of critical welded joints. All of those were demands that we made on Miura and all of those demands were met by Miura. I really do not understand what my friend is suggesting, when the opposite is very clearly the case. The officials went to Japan, looked at the matter of these boilers and ordered substantial improvements.

**Mr. Runciman:** We are not getting any really meaningful answers. There is something seriously wrong here, and the minister is declining to answer. The minister is intransigent, despite the knowledge that the advice he received was tainted and despite serious safety concerns of experts in the field. He says the board of review was going to recommend change anyway; yet the committee's minutes show there was no resolution to this effect, and the union representative on the board says it was never agreed to.

There are a great many questions and concerns here. Is the minister prepared to request a forensic audit of the technical assessment process undertaken with respect to the Miura boiler by the Provincial Auditor or a referral of this matter to a House committee?

**Hon. Mr. Wrye:** I want to say to my friend that he certainly can feel free, as can members of the third party, to get in touch with each and every member of the board of review, including those members of the board of review who represent the union in question. They came to my office in, I believe, May of this year. I could get the exact date for my friend if he wants it.

We went around the table and I asked each and every one of the six of the seven members who were there that day, including the chairman, if he considered the Miura boiler to be safe, because there had been an amount of to-ing and fro-ing in terms of the safety issue by the operating engineers union, and some concerns had been raised by one local.

Each and every member of the board of review, without exception, said that the boiler was safe. A number of them said that in their opinion that boiler was safer than other standard boilers now in use in this province.

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#### MASSEY COMBINES CORP.

**Mr. Mackenzie:** I would like to go back to the Treasurer with regard to the Massey-Varity fiasco, where hundreds of retirees have already lost their benefits in a restructuring deal to which this government was party.

The Treasurer is aware of a recent second letter from Mr. Hargrove, the assistant to the director of the Canadian Auto Workers, informing him of a purchase offer of the Massey Combines operation in Brantford. He is also, I am sure, aware that he himself has said he would like to see this property stay in production. It is one of the finest industrial sites in Canada, and a lot of people are concerned about the production and development of the rotary combine equipment which has been developed by White's.

Can the Treasurer tell us if he is prepared to take a look at this offer, rather than allow speculators and land developers to sell this property off piece by piece and possibly renege a bit or repair the bad name of Ontario to the people and workers in Brantford?

**Hon. R. F. Nixon:** I appreciate the honourable member's reference to the problems that Brantford has experienced over a number of years, first, with White Farm Equipment going into receivership after a number of programs which were designed to keep it operational, and now with Massey, which really means that the face of the manufacturing capability of Brantford has been totally changed, almost as if the mines had closed in Sudbury, for example. The restructuring of the town and the buoyancy in the economy which have been re-established there were really largely under the leadership of our colleague and friend, the present member for Brantford (Mr. Neumann), who was the mayor at that time.

The honourable member also indicated that he agreed with me that it is an extremely desirable industrial site. It is located right next to the Canadian National Railway main line, close to Highway 403, with one of the most beautiful cities in North America as its general environment. It has a workforce that is well-trained, competent and certainly ready to move into any manufacturing capability that is there.



It is, frankly, my hope and expectation that within the next few weeks and months somebody—and it may very well be Park of Cleveland, which the honourable member is referring to—will find himself in a position to begin manufacturing there, in a way which will be very much desired.

**Mr. Mackenzie:** I am sure the Treasurer is aware that the Park Corp. offer, at least at present, was not contingent on provincial funding. I do not know whether he is aware that George Merrick, vice-president of the company, was more than keen to talk to both provincial and federal people when we discussed it with him at noon today. The only real assistance he has had in the last few days seems to have come from Derek Blackburn, who is arranging a meeting with Mr. de Cotret.

Is the Treasurer prepared to meet with him to discuss what might be done to make sure that this does remain a manufacturing operation and is not subject to the profits of land speculators?

**Hon. R. F. Nixon:** I appreciate also the fact that the honourable member has directed the question to me, but I think he would be better advised to direct it to my colleague, the Minister of Industry, Trade and Technology (Mr. Kwinter), under whose aegis would come any arrangements whereby assistance to any prospective employer from Cleveland or anywhere else would have to be given consideration.

Certainly, every member of this House wants to see to it that the manufacturing capability is maintained there. I well remember sitting almost exactly where the honourable member is sitting when the Minister of Industry and Tourism of the day, back in 1980, asked for our agreement to put \$75 million into it along with the \$125 million from the government of Canada, which was an infusion, obviously, of \$200 million, to maintain the jobs and the productivity there. Unfortunately, it was not successful.

#### POLICE EMPLOYMENT PRACTICES

**Mr. Cureatz:** We have a question to the Solicitor General. I would like to point out to her the fact that—

**Mr. Sorbara:** Who's "we?"

**Mr. Cureatz:** My new colleague and I have a question.

**Mrs. Cunningham:** A joint question.

**Mr. Cureatz:** We worked on it together. We noticed in the Toronto Star, Mr. Speaker, if I might continue?

**Mr. Speaker:** I am sure the honourable member, when he said "we," meant he was going to place his question through the Speaker to the minister.

**Mr. Cureatz:** That is right. I knew that is what I meant.

It is reported in the Toronto Star that Todd Clarke attended his Ontario Provincial Police academy graduation ceremony. At that time, he fainted, had a seizure and was taken to hospital. Eighteen days later, the OPP fired Mr. Clarke because he was thought to be an epileptic and considered a high risk.

This insensitive approach, I feel, sets a very discouraging atmosphere for all officers of our very fine provincial police force. I am wondering if the Solicitor General might consider bringing in her own investigative report with regard to the incidents surrounding the firing, in conjunction with the Ontario Human Rights Commission.

**Hon. Mrs. Smith:** Let me assure the member that I share his concern if there is any problem here with the force and have already been looking into it.

I can tell the member this. We cannot discuss the individual case because it is before a court and its decision will be rendered. At that time, we will study the decision and study our own role in it.

However, I want to assure the member that the force, as a matter of policy, is indeed making every effort to employ people with different degrees of disability and to make sure they are employed in a way that is safe both to them and those with whom they work. This covers the broad range of all the jobs within the OPP. I have been assured by the top people, the commissioner, that this indeed is the philosophy and is being followed.

I would like to add, however, that there is a human element in this. I was on the board of directors of Epilepsy Ontario, southwestern Ontario division, being London. I think there is probably no disease more misunderstood by the general public and even by the so-called informed general public than epilepsy. It could well be that, somewhere down the chain of command within the OPP, there is someone who does not properly understand the nature of the disease and, therefore, has made a decision that did not reflect the true medical facts.

I will be looking into this and will be glad to report back to the member on it.

**Mr. Cureatz:** To the minister, through the Speaker again, we have another question. I can appreciate the minister's concerns about not



wanting to get too specific about the case at this point.

In that regard, we have a general question about some police officers in the Metropolitan Toronto area. The force has been using, it has been reported, female officers for entrapment of men buying sex. I can say that I personally find this use of female officers unbecoming to the dignity of and, hence, the respect for police officers generally.

I can say to the minister that—

Interjections.

**Mr. Speaker:** Order. Do you have a supplementary?

**Mr. Cureatz:** Yes, I do, Mr. Speaker. The point is that I was hoping the Solicitor General might give a commitment to this House to approach one June Rowlands, with whom the member for Eglinton (Ms. Poole) has a passing kinship, I am sure, to suggest to her that this method of police enforcement is below the dignity of police officers—

**Mr. Speaker:** Order. Would the member take his seat? Order.

#### USE OF GOVERNMENT AIRCRAFT

**Mr. Speaker:** The Minister of Natural Resources has a response to a question previously asked by the member for Nipissing (Mr. Harris).

**Hon. Mr. Kerrio:** The member for Nipissing raised a question about the use of Ministry of Natural Resources aircraft. There was a presumption in the question, which I certainly do not agree with, that back-bench Liberal members could requisition an aircraft, which is not true.

I was very careful about this and I want the member to know I examined this carefully. I am pleased to inform him that the member for Kenora (Mr. Miclash) joined the MNR district manager and the operations manager on a routine flight to discuss winter roads and other local issues with the native communities.

[Laughter]

**Hon. Mr. Kerrio:** I do not find that so laughable. I am relating the facts to the member.

**Mr. Speaker:** The response?

**Hon. Mr. Kerrio:** The member cannot be laughing about something from yesterday, because he was not here.

Interjections.

**Mr. Speaker:** Order. Do you have a response?

**Hon. Mr. Kerrio:** The requisition is very clear. The requisition was by J. K. Young, the district manager in Sioux Lookout. It was a routine flight examining winter roads and issues that were important to native Ontarians, if they are not important to members opposite. I think the member was well within his rights to go on the flight.

Interjections.

**Mr. Speaker:** Order.

**Mr. Harris:** I would indicate to the minister that nothing he has said today jibes with the press release that was put out by the member for Kenora. The release that was put out to the Northern Miner indicated it was his trip. Two of the minister's officials accompanied him and it was a ministry aircraft.

I would ask the minister to go back to the original question I asked.

Interjections.

**Mr. Speaker:** Order.

**Mr. Harris:** I might say to the minister that it does not jibe either with what the member told the media after, that he contacted Ministry of Natural Resources staff and said, "I would like to go when you are going." That is what he said.

Interjections.

**Mr. Speaker:** Order. Would you place your supplementary?

**Mr. Harris:** I would like to ask the minister if he is prepared to table the request from the ministry, which has been cooked up over the week he has had, as to why this aircraft and three-day trip were set up, if he would table that information along with the flight log and the request that went in and if he would answer the original question, which is: When did he change his policy and allow back-bench members of the Liberal Party to be able to request government aircraft at any time they want?

**Hon. Mr. Kerrio:** It is obvious the member is not willing to accept an answer that was well researched to be absolutely certain there was no requisitioning by a member. Let me share something with the member that is very important. He should listen carefully, and now that the man with the horse laugh is gone maybe I could put the answer. This is very important.

Northern members—members representing the electoral districts of Cochrane North, Kenora, Rainy River and Lake Nipigon—are reimbursed the cost of unlimited travel by airplane within their constituencies by the most economical means. I have to tell the member that this man



should not be criticized but given credit for going when there was a flight that was already going to take place and not requisitioning an aircraft, which he is entitled to do.

**Mr. Pouliot:** On a point of order, Mr. Speaker: What the minister has just said is inaccurate, sir.

**Mr. Speaker:** Order. What is your point of order?

**Mr. Pouliot:** A standing order deals with provocation and getting an inaccurate statement from the minister. The people for those four ridings have a budget of \$7,500.

**Mr. Harris:** That's right. It is not unlimited.

**Mr. Pouliot:** It is not unlimited. It has been changed recently. I happened to be one not treated equally.

**Mr. Speaker:** Order. Would the member take his seat?

Interjections.

**Mr. Speaker:** Order. It appears to have become an administrative matter.

The member for Guelph.

Interjections.

**Mr. Speaker:** We will just wait a few minutes. If the members wish to waste the time this way, we will just wait for them.

Interjections.

**Mr. Speaker:** Order. No. There are other members who would like to ask questions.

#### RETAIL SALES TAX

**Mr. Ferraro:** I have a question for the Treasurer. The question pertains to a problem brought to my attention by a constituent of mine, and indeed I must admit I have a lot of sympathy with her concern. Specifically, the problem arises as a result of the May 2 budget changes and the calculation of provincial tax, more specifically with the calculation of Bell Canada telephone bills.

By way of example, my own bill on chargeable calls for this month was \$6.59. The federal tax on it, 10 per cent, is 66 cents. The provincial tax is then calculated on the basis of that aggregate. Subsequently, in reality, the amount of provincial tax is closer to nine per cent than eight per cent, and while in isolation it is not much—it is 60 cents here—if one took millions of households and businesses it would result in millions of dollars.

My question to the Treasurer specifically is in relation to the fact that, certainly from my standpoint, there is lacking some logic in

justifying a provincial tax on the chargeable calls and the aggregate of those calls with the federal tax—in other words, a tax on tax. Could he comment on that?

**Hon. R. F. Nixon:** I thank the member for giving me notice of the question because, frankly, I have been expecting such a sensible question to come from a member of the opposition but it never came. I waited and waited.

Actually the honourable member is right that it will add about \$20 million to the revenue of the province this year and the reason the taxpayers know about it is because, as the member pointed out, it is specifically put on an individual's telephone bill. The Bell corporation was good enough to include a special little folder the first time the bill included that additional tax so that everybody would know about it.

On that basis I think that, like sales tax in general, it is healthy if a tax can be up front. People understand that they are paying it in support of provincial government programs. On that basis it was levied for the same reason that other taxes were levied.

We felt that it was as fair and equitable as a tax can be and we had to have the money to pay for hospital services, for roads, for schools, for new research facilities for the opposition parties and a wide variety of funding adding up to \$38 billion.

**Mr. Ferraro:** I appreciate what the Treasurer says. It is still not too palatable, to be quite honest; but having said that, could he indicate to the House whether it is his intention to carry on with this practice? Could he also enlighten us as to the procedure in other provinces in Canada?

**Hon. R. F. Nixon:** Every province that taxes telecommunications, except Quebec, taxes it in this way.

As the member knows, the sales tax at the federal level is put on at the manufacturing level at this particular time. Our sales tax of eight per cent goes on on top of that, so there is the concept of tax on tax. While the phrase itself is not a nice one and, as the honourable member points out he does not like the idea, still he pays a tax on tax almost every time he buys an item, because the federal tax is hidden; it is not up front. Most taxpayers do not believe or understand that they even pay it.

I understand that this policy may very well change, according to the Minister of Finance for Canada as he contemplates a federal sales tax.

I should also say that this change will be a section in the Retail Sales Tax Amendment Act that the Minister of Revenue (Mr. Grandmaître)



has already introduced. We will certainly get to debating that, and I hope approving it, at an early time.

### RADIOACTIVE SOIL

**Mrs. Grier:** I have a question for the Attorney General. Last week the Attorney General appealed a Supreme Court decision that held the province of Ontario liable because it had sold homes on McClure Crescent in Scarborough to people who were living on that radioactive soil. It was in July 1987 that the court found the province liable and since then the residents have had to hire appraisers and actuaries to determine the amount of damages.

1440

The actual filing of the order for damages was last May, but the decision that the Attorney General is appealing is the finding of liability and not the damages themselves. Can the Attorney General explain why he did not file an appeal last August after the Supreme Court decision came down? Why has he waited until now to make that appeal?

**Hon. Mr. Scott:** I thank the honourable member for the question. It would not be usual, although possible, to file an appeal until the judicial determination as to liability and damages has been made.

While the determination as to liability was made some time ago and the determination as to damages was made more recently, the damages have not, as yet, been quantified, and we are now in the process of doing that.

The issue of an appeal was always present. We determined, I think last week or the week before, that this was an appropriate case to take such an appeal.

**Mrs. Grier:** I am sure the Attorney General will forgive us if we voice the suspicion that it was not convenient, perhaps, to appeal last August because of events which were due to transpire last September. In other words, during an election campaign they wanted the people in that area to feel that they were going to be compensated by Ontario.

The Attorney General's appeal says nothing about the quantity of damages, merely about the fact of liability. Why has the Attorney General put the people on McClure Crescent through yet another delay and additional expense in trying to determine what their damages might be? Why is he refusing to let somebody get on with dealing with a problem that has been around for 20 years?

**Hon. Mr. Scott:** The honourable member

approaches the merits of the matter. She will want to understand that, when this government came into office, we offered to purchase these houses, and 30 of the 40 people to whom offers were made accepted the proposition.

Some people elected, as they were perfectly entitled to do, to sue the government for their loss of profit. If they had lost their cases, they would feel perfectly entitled, and I would indeed encourage them, to appeal. It is an important issue. We lost the case, acting for the taxpayers of the province, and we have the right to appeal.

My honourable friend, in a cynicism that was not typical of her when she was in municipal politics, assumes that there is some connection between the judgement as to liability and the election date, and the judgement for damages, which was later, and the appeal date. That is completely unwarranted.

It would not have been practical to take an appeal if the court had decided, for example, that there was liability but no basis to award damages. In that case, we would have won the case and no appeal would have been necessary.

It was not that there was only one course open to us to postpone the matter. It was an important matter to postpone because, until a decision as to the basis of damage was given, it might have been that we would have won the case.

So I encourage the honourable member to do what I try to do every day, and I am sure what other new members of the House try to do every day, which is to persuade ourselves that not all decisions are made cynically and in the interests of a private purpose but that some of them are made in our best efforts to take the interests of the public and the taxpayer to heart.

### FUTURES PROGRAM

**Mrs. Cunningham:** My question is to the Minister of Skills Development. The Futures program in the colleges across this province has been slashed by \$43 million, according to recent announcements by his ministry. Would the minister explain to the House what criteria he used to justify this cutback?

**Hon. Mr. Curling:** Thank you. I was feeling a bit neglected over the week that I have not had any questions addressed to me. I am very pleased that I got a question to respond to.

I gather too that, yesterday in the House, the honourable member stated that my budget was cut by \$500 million. I immediately want to have a talk with the Management Board because I do not think even the entire government was cut by that much. I am glad, though, that she stood in the



House today to correct that, without referring to the mistake she made yesterday.

I also want to correct her that the Futures program was not cut by \$43 million. Of course, there was a reduction in the amount of money that was allocated to the Futures program. As the member knows, the economy is booming and employment is buoyant here. Because of that, the client group we are dealing with has less demand to be served.

**Mrs. Cunningham:** I am happy that the minister took the opportunity to not answer the question. If I have made a mistake, it is because I cannot get answers to the questions. If I am using incorrect numbers, it is because I cannot get the answers.

I will ask the question again then; perhaps he can answer it specifically. How much money was cut from the Skills Development program in the last few weeks across this province? Where did it happen and what is the minister doing with that money to help programs across this province to help young people and adults become more skilled and employable?

**Hon. Mr. Curling:** Of course, if the question is asked properly, then we can respond properly.

I will state it again, and I know the great interest the honourable member has in this program. I thank her very much for recognizing the fact that it is a very important program, a program that has seen tremendous success. Of course, we were dealing with those youths who had difficulty in transition from school to work. That rate was pretty high. As a matter of fact, youth unemployment has dropped almost to a third. About 25 per cent of the youth now find jobs in other areas. Therefore, we were not serving that client group of people who now have work, so there is no necessity for us to have that type of budget.

On the second part of the question, of course, if there is a reduction in the amount of money given to any budget, we do not keep that money. We give it back to the Treasury and then it is redistributed. It was \$30 million that was cut from that area.

#### NUCLEAR SAFETY

**Mrs. Stoner:** My question is to the Minister of Energy. The Atomic Energy Control Board, the federal regulatory agency, has ordered a study of the incidence of leukaemia among children born near the four nuclear facilities in this province, including Ontario Hydro's nuclear generating station in Pickering. Dr. Rosalie Bertell of the International Institute of Concern for Public

Health has identified potential health effects of long-term exposure to low-level radiation, including depressed white blood cell counts, asthma and allergies in children, mild mutations in newborns, miscarriages and still births.

I would like to know what the minister's views of the AECB study are, whether the province will be participating and whether AECB will be encouraged by this government to expand the study to look at other potential health problems such as I have just outlined.

**Hon. Mr. Wong:** I would like to thank the honourable member for her question. The Ontario government ministries and agencies will certainly be available to offer whatever assistance is available to the study.

As all members of the House know, Dr. Kenneth Hare recently released his report on nuclear safety in Ontario. He looked at the evidence as to whether the operation of Ontario Hydro's nuclear reactors had any discernible effect on health. None was noted, but he did caution that it is perhaps a little too early to be sure that latent cancers would not appear in some workers at some later date.

In addition, Professor Hare commented on the basis of a thorough study done in the United Kingdom in 1987, on pre-1955 nuclear establishments, I believe, that there was a significant increase in leukaemia among young persons living close to some nuclear establishments. It was on the basis of this study in the UK that Professor Hare supported, and the Ontario government will assist, the recently announced study of the AECB of the incidence of leukaemia in children born within 15 kilometres—

**Mr. Speaker:** Order. That seems like a fairly comprehensive response.

1450

**Mrs. Stoner:** I have a supplementary question for the minister. Is the government doing or planning any further study to look specifically at the potential health effects of the exposure to low-level radiation?

**Hon. Mr. Wong:** AECB, Ontario Hydro and Atomic Energy of Canada Ltd. have conducted studies for approximately 30 years. These ongoing studies have been linked with international scientific and nuclear studies within the world-at-large community. We will await the results of the AECB study before contemplating any further studies.

#### TRANSIT SERVICES FOR THE DISABLED

**Mr. Allen:** I have a question of the Minister of Transportation. The minister will know that the



Ontario Advisory Council for Disabled Persons and the Ontario Advisory Council on Senior Citizens have put two major recommendations before him with respect to transportation for the disabled, namely, that the provincial government make a commitment to develop a fully integrated transportation system to meet the needs of all Ontario residents and that the provision of all provincial funding for transportation be contingent on criteria for a fully integrated transportation system being met.

To date, those recommendations have been entirely ignored by the minister and his ministry. His recent announcement of \$50 million for a special, separate transportation system for the disabled was in an entirely other category.

The minister may remember the promise of the government in the election was for \$84.1 million for accessible transit for the disabled. Will he stand today and tell us that he will shortly be offering the balance of the \$84.1 million for major projects to make conventional transit accessible for the disabled in Ontario?

**Hon. Mr. Fulton:** I do not think there is a government in the history of this province that has ever done as much as we have for the disabled community. I have worked very closely with my colleagues, the Minister without Portfolio responsible for senior citizens' affairs (Mrs. Wilson) and the Minister without Portfolio responsible for disabled persons (Mr. Mancini) and others in providing a number of transportation initiatives to assist the disabled and the frail elderly, as my colleague would know. He would also know that the \$50 million is only part of the \$84 million announced last August.

**Mr. Allen:** If the \$84 million is there, it is interesting that the minister asked for only \$59.3 million from the Treasurer to cover a promise of some \$84 million.

He has a ban at the moment on grants being used in municipal transit systems for major accessibility projects. He has no legislated minimum accessibility standards in conventional transit. He has done nothing to make GO Transit and intercity transit accessible. Recently, he put a hold on the Toronto Transit Commission's plans for elevators in the Yonge-Bloor station and on the new Harbourfront line.

It would take \$3 million a year for five years to make the major interchange stations in the TTC system elevator-accessible for the disabled.

**Mr. Speaker:** Place your question.

**Mr. Allen:** Will the minister now commit himself to begin that program immediately, starting with the Yonge-Bloor station, which is

currently under renovation? That is a perfect time to do it.

**Hon. Mr. Fulton:** I think the member is wrong on a number of points. We have initiated some of those very studies with respect to elevators and so on. He would also realize that mine is not the only ministry that spends part of that \$84.1 million. There are others which have other responsibilities with respect to the disabled.

In fact, we have put on the road 30 per cent more buses than previously existed in this province. We have accessible taxis now available for the disabled, starting in the city of Sudbury earlier this year—another promise kept. We are expanding the guidelines for eligibility and access and we are expanding funding to towns under 10,000 that were never considered in the past.

I think this government has a very good record of working with the disabled, a record we can be proud of.

#### UNCONDITIONAL GRANTS PROGRAM

**Mr. Harris:** My question is to that bane of all Ontario taxpayers, the Treasurer, and concerns that woeful and sorry document, his budget. As a result of this budget, the city of London will pay an additional \$607,000 a year in provincial taxes; the city of Windsor, an additional \$744,000; the region of Sudbury, an additional \$135,000; Waterloo region, \$355,000 extra; Durham region, about \$250,000 more; and Stormont, Dundas and Glengarry, an additional \$100,000.

The Treasurer knows his last budget increases to provincial taxpayers the provincial tax bill for Ontario municipalities anywhere from \$100,000 to \$480,000 and that annualized cost of additional taxes can run as high as \$600,000. Can the Treasurer tell us, in line with his Premier's 1982 commitment and letter of how he felt about how municipalities should be treated when the sales tax base was broadened—

**Mr. Speaker:** Question?

**Mr. Harris:** Can he tell us by how much he intends to enrich the 1988 unconditional grants to compensate municipal taxpayers?

**Hon. R. F. Nixon:** I was just looking in my book here, which has all the answers, and notice that I left my budget-on-a-page somewhere else.

**Mr. Harris:** Here is the letter from David Peterson. I can send this letter over to the Treasurer if he wants to know his position.

**Hon. R. F. Nixon:** Very good. I will refer to that in the supplementary, if I may; but with



respect to the actual amount of increased funding for municipalities, while I do not have the exact number just in my mind, the honourable member who has read the budget and perhaps remembers it more clearly than I knows it is a very large expansion of funding for the municipalities.

**Mr. Harris:** Inadequate.

**Hon. R. F. Nixon:** The honourable member interjects the word "inadequate," which seems surprising to me because he must also have read that above and beyond that, the revenue from the additional one cent per litre gasoline tax is shared between provincial highways at about \$60 million and municipal roads at an additional \$40 million.

While I am aware that putting sales tax on cement and asphalt products particularly, plus the one per cent increase in sales tax, means the municipalities are paying more, I believe that this is compensated for and then some by the enrichment of the grants on a wide spectrum of areas of assistance, which includes, of course, school boards.

**Mr. Harris:** I see time has expired. I will carry my supplementary over to tomorrow.

**Mr. Speaker:** Thank you. That is very nice of you.

## PETITIONS

### TEACHERS' SUPERANNUATION FUND

**Mr. Adams:** I have a petition, which is addressed as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

**Mr. Speaker:** Order. I wonder if I could have the attention of all members. There are many private conversations. They may be necessary, but they are very noisy and other members wish to present petitions.

### RETAIL STORE HOURS

**Mr. Miller:** I have a petition addressed to the Lieutenant Governor and the Legislative Assem-

bly of Ontario concerning Sunday shopping as follows:

"We, the undersigned citizens of Ontario, residing in the region of Haldimand-Norfolk, support the intent and recommendations of the all-party committee of the Ontario Legislature and the ruling handed down by the Supreme Court of Canada rejecting wide-open Sunday shopping and recognizing the need of a common pause day for family nurture."

It is signed by 27 constituents, members of St. Andrew's Presbyterian Church, Hagersville, and was brought to me by the Reverend Frank DeVries.

**Mr. Speaker:** Once again, there are many private conversations that make it difficult to hear.

### TEACHERS' SUPERANNUATION FUND

**Mr. Cureatz:** I have a petition to the Honourable Lieutenant Governor and the Legislative Assembly of Ontario, which reads as follows:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

I have signed the petition.

1500

### RETAIL STORE HOURS

**Mr. Campbell:** I have a petition, which reads as follows:

To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"We are opposed to open Sunday shopping and want to retain a common pause day in Ontario."

The petition is signed by a number of residents of the Sudbury district.

### TEACHERS' SUPERANNUATION FUND

**Mr. Furlong:** I have a petition, which reads as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to May 31, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

It is signed by 200 Ontario residents.

#### ROUGE VALLEY

**Mr. Faubert:** I have a petition as follows:

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"Whereas the Rouge Valley system contains an abundance of natural beauty and sites of historical importance and archaeological significance; and

"Whereas the Rouge Valley system is a unique oasis of nature found within the boundaries of Metropolitan Toronto; and

"Whereas the Ontario government has indicated its continuing commitment to the environment through its generous support programs towards preserving the Rouge Valley system and the Carolinian forest, and the historic and archeological sites contained within;

"Therefore we, the undersigned, hereby petition the government of Ontario to give every consideration to the various alternatives available to them to ensure that the Rouge Valley system be preserved so that future generations may have the opportunity to enjoy them; these alternatives include a provincial park or a national heritage park."

The petition is signed by 49 Ontario residents. I have signed the same and I present it for the consideration and positive action by the government.

#### RETAIL STORE HOURS

**Mrs. Marland:** I have a petition to the Lieutenant Governor in Council, signed by an individual opposed to Sunday shopping, Barbara LePage of Walden Circle. I have another petition on the same subject, to use the words of the petitioner, in "vehement opposition to wide-open Sunday shopping." I will not read the rest of the petition. It is signed by Robert G. M. Kelly, MD, who is also in Mississauga.

**Mr. Speaker:** One again, I would remind members that it is not necessary to refer to the people who have signed the petition.

#### INTRODUCTION OF BILL

##### CITY OF NORTH YORK ACT

Mr. Polsinelli moved first reading of Bill Pr58, An Act respecting the city of North York.

Motion agreed to.

#### ANSWERS TO QUESTIONS IN ORDERS AND NOTICES AND RESPONSES TO PETITIONS

**Hon. Mr. Conway:** Before orders of the day, I wish to indicate that I have laid on the table the answers to questions 272, 273, 274 and the response to sessional paper P-17 standing in Orders and Notices [see Hansard for Monday, June 20].

#### POLL

**Hon. Mr. Conway:** As well, I have placed on the table a public opinion poll relating to Foodland Ontario's operations.

#### ORDERS OF THE DAY

##### RETAIL BUSINESS HOLIDAYS AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**Mr. Cousens:** I have had a chance to think about what I was saying yesterday, with a small, 20-hour break from this place, and I want you to know, Mr. Speaker, that I am as convinced now as I ever was that this government is absolutely wrong to be bringing in these changes which will affect the future of Ontario by opening up Sundays wide open for shopping and work and will change the fabric and the family life of this province in a way I oppose strongly.

If I was strong yesterday, I want to be stronger today, and I think that is going to be the spirit of the people of Ontario if this government continues to ram through its stupid, backwards legislation. It is undermining the family; it is undermining the home; it is undermining the values that make this province strong. I think it is time the government went back and reviewed it in the light of what is being said in this House.

There have been petitions. Today, members of the government presented petitions. Are they reading them themselves or are they just words that come out of their mouths? I know the people



of Ontario, not just from my riding and the ridings that are represented by our party but from ridings right across the province, condemn this government for so singlehandedly reversing the trends and the roles that the province has had versus the municipalities. They are shoving the problem over to the municipalities. In the municipalities, there is going to be a domino effect, and soon this province will be wide open on Sundays.

Why is there not one person across the floor who will stand up on his own two feet and go against the Premier (Mr. Peterson) on this issue? Are they all just following the leader? Why do they not stand up and think for themselves? The fact of the matter is that there has been some comment that the member for Kitchener-Wilmot (Mr. Sweeney), the member for Kitchener (Mr. D. R. Cooke) and the member for Waterloo North (Mr. Epp) might all have a different opinion from the government; and also that the members for Peterborough (Mr. Adams), Guelph (Mr. Ferraro), St. Catharines-Brock (Mr. Dietsch), Kingston and The Islands (Mr. Keyes), Cornwall (Mr. Cleary) and Sudbury (Mr. Campbell) are all not in favour of this. Why do they not stand up and come forward like men and ladies and say they are not in favour of it?

**Mrs. Marland:** It is because they are weak in the knee.

**Mr. Cousens:** Are they weak somewhere? Why is there not going to be another group from within the Liberal Party that comes forward and says, "We represent the people of Ontario?"

**Mr. Black:** Quit misleading the public and tell the truth.

**Mr. Speaker:** I would ask the member for Muskoka-Georgian Bay to withdraw that comment.

**Mr. Black:** I withdraw the comment.

**Mr. Speaker:** Thank you very much.

**Mr. Cousens:** At least the member for Muskoka-Georgian Bay was awake. It worries me that all the words that we have to offer on this bill in this House are not having any impact at all on the government. That is the regrettable part. Its mind is made up, and it almost makes a mockery of the committee hearings that are going to be held for eight weeks this summer.

What good is it going to be for the people of Ontario to come to that committee when the government has already determined its agenda? Why have those public meetings? I think it is a good idea. It would be a better idea if the government were prepared to amend this bill, to

amend its thinking, to change its ways, to allow itself to be confronted with the feelings and the thoughts that the people of Ontario have.

I have so many letters and so many statements from people that should be part of the record of this House as to the feelings and the thinking of people who are opposed to Bill 113 and to the thrust of this government in imposing this wide-open Sunday working capability on the people of Ontario. "What Peterson's government is proposing" according to Henry Frietag, "is a disgrace. It will destroy the principles of our free democracy. It will make a mockery of the Charter of Rights and Freedoms. It will promote distrust between municipalities."

I would like to quote further from another. It is from an architectural firm, and I would like to put on record some of this person's thinking.

**Mr. Ballinger:** Read the bill first.

**Mr. Cousens:** I have read the bill and I wish this honourable member over here, who has so much to say but so little to think, would come along and do a little bit of reading as well.

This constituent of mine said: "For what it is worth—

Interjections.

**Mr. Speaker:** Order. It might be an appropriate time to remind all members of standing order 24(b): "When a member is speaking, no other member shall interrupt him, except on a question of order." I am certain the member will direct his remarks through the chair.

**Mr. Cousens:** It is a good idea, Mr. Speaker.

I am quoting from my constituent. He says: "For what it is worth, this is one constituent who does not believe we have to bow to pressure exerted by the lobbyists for large store chains and merchandisers. I believe in Canada what we have is a very unique situation, in that we have a day of rest for everyone, excluding, of course, essential services such as police, firemen, nurses, etc.

"To change the present laws, as I see it, will only further corrode the fact that Sunday to many people is a day of worship. But more than that, it is a day in which families can get together. We have had enough corrosion of the family unit without adding to it by supporting such a negative policy as open Sundays.

"The people who will have to work on Sundays or lose their jobs are not in a position to speak for themselves, and I think the politicians have to stand up and be counted."

1510

I am prepared, and I am prepared to be counted. I believe that this constituent is



speaking for far more of the people of this province than the David Peterson government.

I would like to make one more comment because yesterday, as I was closing off my remarks, I was commenting on free trade and how the people here want to keep Canada and Ontario different from the United States. This is a point made by one of my constituents. I do not have his permission to quote his name, so I will not, but from his letter to me, he says:

"In North America, in Canada, and particularly in Ontario, we desperately need some sign that commercial activity has not become our institutionalized religion. Allowing retail activity to go on virtually nonstop would give a priority to commerce that it does not deserve.

"Indeed, I find shopping every day more of a threat to our culture, our sense of ourselves, than any free trade agreement."

What we are faced with in this province is a confusion of ideas where people say, "We don't want to be like the United States." Yet by bringing in this whole business of wide-open Sunday working, it is going to make us more like the neighbours of ours to the south of the border than ever before.

There is something being maintained in our cultural values when we, as a province, can have a unique, special day for families, a day of rest, a day just to recreate ourselves and get ready for another week.

I have other letters; I have other correspondence. I could go on much longer and expound on the views of the people from my riding who have strongly supported the position I have endorsed in this House. I have brought these points forward in the spirit that, in this Legislature, we have an opportunity to speak and we have an opportunity to be heard.

I am sorry that, in fact, by virtue of the lack of movement by this government, it is highly unlikely that the people who should have heard have actually listened, and that in fact the government is just going to go ahead and shove this through. I would be delighted if one, two or three back-benchers of this Liberal government could stand up and have the courage of their convictions, have the courage to be able to set themselves apart from their party and from the the Solicitor General (Mrs. Smith) and say: "We do not support this. Our constituents do not want us to support it and, therefore, we will not vote for the bill." They can also do what some obviously do: They slip away and they are not around on the day the vote is taken. Maybe that is

one way of identifying what they really think about this bill.

I would rather see these people come forward now, speak up and make their minds known so that the people of Ontario will know that it is not just a pack voting together as a block, whipped up by their very strong whip and House leader, but that in fact they are coming out here with their sense of obligation to the people of Ontario.

This is a most important bill. It has taken a great deal of time for this Legislature to be working on it when in fact we could have been dealing with other things that have to do with the economy, that have to do with our school system, that have to do with our housing in the province. There are many, many issues that are at stake in this province. Here we have had the Premier set this forward as his number one item on the agenda.

It is not necessarily the number one item when we could be dealing with other things, but because he has put it on the floor I will say this much: Here is one member who is prepared to stand up and be counted. I oppose this bill. I oppose this government. I will do everything I can to continue to fight it.

**Mr. Kanter:** I listened with interest to the comments and the outrage, feigned or otherwise, of the member for Markham (Mr. Cousens) on the subject of Sunday shopping. It reminds me a bit of his position on housing, where he is extremely upset in this House but not always quite so consistent in his riding.

I note with interest his rhetoric that Sunday shopping is an attack on the family, that it is worse than free trade and that he is totally opposed to Sunday shopping. But I am rather curious about something that happens in his own riding.

It is my understanding that there are a number of stores in the old town of Markham that are open on Sunday. I would like to ask the member for Markham, if he is so opposed to Sunday shopping here in this House, what measures he has taken to close down the stores that are open in his very own riding of Markham?

**Mr. Pouliot:** I seldom have the opportunity to agree fully with the remarks made by the distinguished member for Markham, but today is one of those occasions. We have heard the member for Markham, standing like a soldier at his post, like a sentry at his post and, while he was reminding this House of the need for Ontarians to prepare themselves physically and mentally for the task ahead, some members, among them the member for Muskoka-Georgian



Bay (Mr. Black), choosing to make a mockery, nothing short of a mockery, of standing order 24(b).

I would like to remind the member that if decorum and good manners are to be the order of the day, that is the very opposite of this kind of style, method and approach when words of wisdom, nothing short of this, were favouring the colleagues of the House.

The member for Markham has chosen, in a fashion better than I know 94 members of this House would have been able or would have chosen to have the courage to do, to share with us, through the consensus, through the spiritual leadership of the many Christian and other well-intended people in Ontario; he has reminded us with eloquence that this kind of opposition from the members of the government represents, indeed, government at its worst. He did not stand alone; his kind remarks did not go unnoticed, and I share with him in condemning the government for not having the courage to stand up and represent the constituents.

**Mrs. Marland:** I take note at this point that not only is the member for Muskoka-Georgian Bay violating standing order 24(b); he is violating the other rule which says that no member can speak except from his own seat. This member is interjecting and he is not even in his own seat.

I feel very strongly as I rise in support of the comments of my colleague the member for Markham. It is very interesting to hear, of course, as one cannot avoid hearing, the interjections that go on in this House in spite of the rules for order and procedure, but to hear from the new member for St. Andrew-St. Patrick (Mr. Kanter)—

**Mr. Ballinger:** As if you've never done that, Margaret.

**Mrs. Marland:** As a matter of fact, I would tell the members who are still interjecting that I do not interject, if they observe. I wait until the two minutes, and that is the appropriate time when I use my opportunity to interject.

The member for St. Andrew-St. Patrick, in rising to comment on my colleague's speech, I suppose, is rising in his new position as journalist for the Toronto Star.

I want to recognize the fact that it is unfortunate that in the comments of my colleague the member for Markham he was as generous as he was to those members of the government who have indeed presented petitions on the floor of this House, as they were requested to do by people whom they represent. Those same people

they represent now will be horrified, I am sure, to find that they will indeed be voting with their government bill, which is completely opposite to the intent of those residents and citizens of Ontario whom they represent.

**Mr. Pollock:** I want to compliment the member for Markham on an excellent address. He expressed himself extremely well and put his points across in a very admirable manner. He read different letters from his constituents, as I think practically every member in this House has got letters from his constituents, concerned about Sunday shopping.

Let's face it: I feel that Sunday shopping should be left in the hands of the province. It has the police, the capability to enforce it. It should not be turned over to the municipalities. The member for Markham expressed that extremely well and he is very concerned about this particular piece of legislation.

As I say, the member for Markham put his point across extremely well. He is a credit to this assembly; there is no question about that. I just want to join my colleague from Mississauga South (Mrs. Marland) in stating what an honourable job he did in speaking on this particular Bill 113.

1520

**The Deputy Speaker:** I believe there is a bit more time left for those who may want to ask questions and make comments. If not, does the member from Markham wish to speak?

**Mr. Cousens:** I am honoured to have received such kind words from people from at least our party and the New Democratic Party. I have to say the member from Lake Nipigon (Mr. Pouliot) is a very honourable man. I have to say I appreciate most of all the kind words he had to say very, very much. The member for Mississauga South and the member for Hastings-Peterborough (Mr. Pollock) reaffirmed the sense of importance that this bill has and the reason we in this House have to stand strong.

This is a very small group, but we have a very large and important point to express. In spite of the fact that there is this huge majority that would try to suppress the truth and try to keep people down, there is nothing that is going to stop us from doing what we believe to be right. We are operating on principle and we are operating with a sense of mission in that we believe in what we are doing.

I would like to comment briefly on the member from the Toronto Star, the member from St. Andrew-St. Patrick and some of his comments. They are ill-founded. I would like to have a



considerable period of time to go into the fact that the province presently gives rights to different municipalities to do certain things. The province is in charge and those municipalities can operate within the law. I am in favour of that principle. I am in favour of the province running things, not passing the buck over to the municipalities, which is what Bill 113 does. That is a fundamental rule.

What we are seeing is a sloughing off of responsibility. Maybe that member is one of the chief sloughers. He has not been shown to be that in other things he is doing, but here is a chance for him to give leadership, and he is not doing it. He should stand up and be the leader he is capable of being. The people of St. Andrew-St. Patrick had a great man representing them before the member. Let them have that same kind of greatness in the member. It is there, but it has not come to flower.

This is not an issue that is going to go away. It is an issue that is just starting to get us riled. The people of Ontario do not want the people of our party or the people of Lake Nipigon or the rest of Ontario to go to sleep on this. We are going to continue to fight and fight and we will win.

**Mr. Ballinger:** I am very pleased, as the member for Durham-York, to rise and join in this debate on Bill 113. I have always been amused since September in coming here to—I really enjoy the bantering back and forth between all three parties, but in this particular case I am quite pleased to stand in support of this bill.

**Mr. Cousens:** “Quite.” Not completely.

**Mr. Ballinger:** I am 100 per cent in support of this bill. Unlike the previous speaker, the member for Markham, I will try to discuss the issue as I see it without going off in about 45 different tangents in every other direction to make a point that I think is bizarre in many examples that were used by the member for Markham. This issue to me, quite honestly, is one of accountability.

I am quite pleased to represent the riding of Durham-York. I think my riding represents a good cross-section of Ontario. My riding is made up of five municipalities, four of which are not open on Sunday, one of which is.

The interesting point I want to make about that is that there is no domino effect in my municipalities. The one that is open does not affect the other four which are not. The opposition has been arguing since the introduction of this bill about this so-called fear of the domino effect: that if one municipality opens, then they all must open or else they will lose

market share. There are many examples in this province where that is simply just not true. My riding is one where it is not true.

**Mr. Wiseman:** Are you a retailer?

**Mr. Ballinger:** Yes, I am a retailer and a former municipal politician, and I think I understand both areas very well.

Interjections.

**The Deputy Speaker:** Order. Standing order 24(b), please; and the member shall address his comments through only the Speaker, of course.

**Mr. Ballinger:** Thank you, Mr. Speaker.

During my short time in this Legislature, I have found it very interesting that the members of the opposition have a tendency to want to speak on behalf of all of Ontario. I would like to remind the opposition that I represent a constituency of about 80,000 people and I happen to believe that I speak on their behalf, because I am the elected member of the riding of Durham-York.

There was a by-election held not too long ago, and it seems to me that the third party has been bantering about as the reason it elected a member there that the issue was Sunday shopping. I do not happen to believe that was true at all. There are many variables involved in an election. No one issue elects or defeats a candidate or a government. There are many issues that make up whether you get elected or you do not.

When I stand here as a new member of the government, it appears to me that if you closed your eyes and listened you would hear the same response from the opposition on every piece of legislation that the government introduces. There does not seem to be any sort of individuality at all. The name of the game is, “If the government is for it, we’re opposed to it.”

Interjections.

**The Deputy Speaker:** Order, please. It seems that because of the heat in the place everyone is having a hard time, I expect, remembering standing order 24(b), all of you collectively.

Interjections.

**The Deputy Speaker:** Order. You may resume, please.

**Mr. Ballinger:** Since the debate started about two to three weeks ago, I guess, we have been discussing this off and on. I want to sort of recite a few of the words I have heard in here from certain members of the opposition. We have been accused of being cowardly, insensitive, arrogant and gutless. The term “passing the buck”—what an old cliché that one is.



**Mr. Pouliot:** Bill, whose side are you on?

**Mr. Ballinger:** No, I was going to make the point that the opposition uses terminology to instil a fear and a misunderstanding in the general public out there.

This bill, compared to the previous bill and what is happening in this province, makes all kinds of sense. In fact, it is so logical that members over there obviously do not understand the logic behind it.

Interjections.

**The Deputy Speaker:** Order. If the members collectively insist upon having this kind of afternoon, it is not going to be interesting in the House whatsoever.

**Mr. Ballinger:** Thank you, Mr. Speaker.

Quite honestly, as a former municipal politician—

**Mr. Cousens:** Go back to it.

**Mr. Ballinger:** Well, you may want to say that, my friend, but I can assure you I am here for at least four years.

**The Deputy Speaker:** The member will address his remarks through the Speaker.

1530

**Mr. Ballinger:** Yes, Mr. Speaker. I am sorry.

In the four years I will be here, I want to assure the honourable members on the other side that I will speak when I believe I should speak on issues that affect not only my riding but Ontario. I am speaking today because I believe the bill that is being proposed by the government, with its amendments to the Retail Business Holidays Act, is logical, fair and really does give an indication of the diversification of this province.

The concern I have is that, unfortunately, the opposition members are not even willing to take a look at the proposed amendments objectively. It is really interesting about the municipal option. In the riding of the member for Durham East (Mr. Cureatz), in his own riding, one of the municipalities is open illegally and has been for a number of years.

They have been taken to court consistently and they keep opening. The reason they keep opening is that that part of Ontario and that part of the riding really reflect the market and the conditions that evolve around it. That particular municipality should be open. They are open now. They cannot be open from a legal point of view. This new bill will allow that opportunity to reflect the wants and needs of that particular community.

I cannot, for the life of me, understand why the opposition would not support the concept of local option. It makes all kinds of sense. Ontario is not

a block. It is made up of all kinds of different people in communities and this bill reflects, I believe, the opportunity for the government to express and support those communities.

There was never a better opportunity than now to reflect, going into the 1990s, how we are going to support those communities. The easiest thing we can do, on this side, as a government, is just close our eyes, put our heads in the sand, sit down, be quiet and do absolutely nothing. I do not know about those guys over there, but I was not elected to come here and do nothing. I came here hopefully to contribute to a better society. I believe this bill—

**Mr. Pouliot:** Then change the bill.

**Mr. Ballinger:** Yes. I absolutely believe that. Again, by comparison, when I look at my own riding, what I see is five municipalities completely different, all working in harmony together with one of the municipalities open seven days a week, which does not and will not have any effect on the other municipalities in relation to the domino effect.

When I was on regional council in Durham with the member for Oshawa (Mr. Breagh) many, many years ago, we had discussion back in those days on the tourist option, whether or not municipalities within the region could or should be exempted under the provisions of the tourist bylaw. One of those municipalities applied and it was denied. That is the same municipality in Durham East that is open today. Regardless of the current law, they just decided they wanted it and needed it and they opened illegally. This bill will not only help us, it will also help them to decide.

**Mr. Cureatz:** What municipality is that again in Durham East?

**The Acting Speaker (Miss Roberts):** Order, order.

**Mr. Ballinger:** Scugog, for the record. I am sorry, Madam Speaker.

Again, from my point of view, as a member representing the government side, I am very honoured to have the opportunity to be in this Legislature to begin with. I am very pleased to be the member. I am very pleased to have the opportunity to support a piece of legislation that I know will, in the long run, be good for Ontario and good for the majority of constituents I represent.

**Mr. Philip:** I want to say that that is the best speech I ever heard the member give. I must say I always enjoy his delivery, if not the content. I am

sorry he was heckled so much, because I know he never does that to anyone else.

He mentioned that the opposition had said the government was weak-kneed, cowards and buck-passers. I do not remember using the first two, but being on the standing committee on public accounts, I may have used the last one of buck-passing, which is a monetary term.

I want to ask the member if those three words are similar to using the chicken option, which is what the minister in fact called the municipal option.

**Mr. Cousens:** I would enjoy hearing the speaker continue his speech, especially if he were to give us some of the logic behind this bill.

He referred several times in his eloquence to the logic of this and the logic of that, but he never touched on it. Maybe he does not know; maybe no one has told him. It would be very good for all of us if this very good friend of mine the member for Durham-York—and he is, in spite of the heckling—could do us the favour, the honour and the service of telling us what the logic of this bill is. I do not think he knows it. I really do not think he does.

I do not want to call him something he is not, but I challenge him to give us any form of logic for this bill right now. If he is only proud to be here because of this bill, that is not a lot to be proud of.

**Mr. Mahoney:** I think one can always measure the impact a speech has in this House by the rancour and excitement it causes on the opposite side. In the case of the previous speaker, the member—where is he from? Durham South?

**Mr. Ballinger:** Durham-York.

**Mr. Cureatz:** Near me.

**Mr. Mahoney:** He is from somewhere down by the member for Durham East.

When one generates that kind of comment and reaction from the opposition, obviously one is striking a chord. I think the sensitivity, understanding and knowledge the honourable member has of this particular bill have struck a chord in making the members opposite realize that he, for a change in this House, with all the other speeches which have been going on and which we are likely to hear—the member for Durham East is on deck, I believe.

**Mr. Cureatz:** I've changed my mind.

**Mr. Mahoney:** Hi, Sam, how are you? When he comes out of the bullpen, I think we are going to hear more of the nonsense we have been listening to about how this bill is going to destroy

the family and erode the way of life of Ontario's citizens.

The honourable member here has spoken very clearly and put forward the government position, which very clearly says this is not wide-open Sunday shopping and this is not buck-passing. He has analysed the bill from the proper perspective instead of standing up and throwing scare tactics forward to the citizens of Ontario and trying to really buffalo the people of this province by telling them this is a bill which would allow wide-open shopping.

The opposition members should be ashamed of themselves for leading the people of Ontario down the garden path. This government is putting forward a bill, as the honourable member clearly outlined in his speech, which will be enforceable, which is understandable, which will allow the municipalities to determine their own fate. He did it clearly, succinctly, without buffoonery and without the nonsense we have been hearing from the other side of the House. I congratulate him on a great speech.

**Mr. Pouliot:** I wish to congratulate the member for Durham-York on his tone. Unfortunately, I also have to say that the member missed a golden opportunity to address the substance, the reason for the bill being presented and its rationale.

Instead, by way of a tactic or strategy, he adhered to one of the oldest methods—it lacks class, to say the least—which is that if you cannot talk philosophically on the rationale of the bill, you blame the opposition, the 35 humble people here who are doing their job; as opposed, on the other hand, to making a positive contribution to the House.

Look at the mandate. He reminded the House of the reason he was elected, the mandate, the terms of reference: to represent the aspirations, the will of the people “back home.” This is the seriousness that this kind of legislation deserves. “What are the people back home saying? They are not concerned about the members of the opposition. They are concerned about my response, as the member for Durham-York, to their aspirations. Am I representing them well?”

**1540**

I am always pleased, like others, to listen to the member for Durham-York. Unfortunately, the member could not resist the temptation to go for show as opposed to substance. That leaves us with, certainly, less than a passing mark in terms of the seriousness of what is being addressed here today.



**Mrs. Marland:** I would like to comment on the member for Durham-York's speech. Fortunately, it was brief, because he is obviously not representing the people in his constituency; nor is the member for Mississauga West (Mr. Mahoney) who made comment on that speech. It is very interesting. In particular, it is interesting because the member for Mississauga West was a member of the executive of the Association of Municipalities of Ontario at the time that—

**Mr. Mahoney:** On a point of order, Madam Speaker: I would love to enter into a debate with the member for Mississauga South, but I believe her comments are to be directed towards the member for Durham-York's remarks.

**Mr. Cousens:** Can't take it, eh, Steve?

**Mr. Mahoney:** If I could have an opportunity to come back, I would be happy to take it and give it.

**The Acting Speaker:** Order. Would the member for Mississauga South please continue with her comments upon the remarks of the member for Durham-York.

**Mrs. Marland:** Yes, Madam Speaker, and I am commenting on the remarks of the member for Durham-York because, in fact, when comments were made on his speech, they were made by someone who was on the board of the executive of the Association of Municipalities of Ontario at the time that AMO told this provincial government, by a vote of something like 17 to 2, that it did not want the jurisdiction to regulate retail store hours in this province and that that jurisdiction must indeed stay with the provincial government.

It is particularly significant when the member for Durham-York gives us his own curriculum vitae and emphasizes the fact that he was a member of municipal council in the past. Even more so, I find it hard to understand why he would be so unsympathetic and uncaring of the wishes of those elected officials, as is the member for Mississauga West.

**The Acting Speaker:** Order. The member's time has expired. That is all the time there is in reply.

**Mr. Ballinger:** It is really interesting to participate in a debate, elicit some comments from members on the other side and then only have a couple of moments to respond.

I would like to remind the member for Lake Nipigon and the member for Mississauga South that, as an individual, I have never adopted a holier-than-thou attitude in anything that I do. I suggest to both of the honourable members over

there that I did not come in here today for a lecture, but I appreciate their comments anyway.

As far as the member for Markham (Mr. Cousens) is concerned, I do enjoy fencing with the member, but it has always been a point of mine in life never to exaggerate to make a point and I try awful hard not to do that. I will make a suggestion in the short time that I have left concerning the discussion that centres around the logic behind this legislation. Sometimes, when it is as plain as the nose on your face, you just cannot see the logic. In my humble opinion, this proposed legislation is logical.

Ongoing in this province currently are many abuses to the current act. There are people deliberately taking advantage. As a province and as a government we have constantly been in court, and then somebody gets a small fine or a slap on the wrist. The act currently does not reflect Ontario, the nature of the province that it is and the people in the communities that it represents. When this proposed bill is passed and in place, and everything is said and done, they will realize the logic of it and Ontario will settle back to being a nice, even, easygoing place to live.

**Mr. Farnan:** It gives me great pleasure to rise to speak on this topic. I just preface my remarks by talking a little bit about the recognition factor for politicians. The recognition factor for politicians is something we are all familiar with. Whether you are walking down the street or going to a football game, how many people will recognize your picture in a newspaper or recognize you in a grocery store? That is the recognition factor.

However, the recognition factor goes beyond that; there is a positive recognition and a negative recognition. I am sure all of the honourable members will have experienced the kind of situation where it is a lot easier to accept, for example, meeting somebody who says, "Hi, Mike, you're doing a good job," than "You're a jerk." That is a reasonable situation. As politicians, very often the recognition factor is centred around issues and the type of stands we take on issues.

It is not surprising then that people will meet us and say, "You know, I like the kind of stand you're taking on this issue" or "Overall, you're doing a good job, but I can't live with you on this particular issue." Politicians generally, I suppose, know they are in trouble when people recognize them, know the issues they are standing on and say, "You know, I can't support you on this issue."



I want to say to the House today that, in relation to this issue, I would like to express my own personal experience among the constituents in Cambridge. When I meet people on this issue, they like the stand that I have taken, they like the stand that my party has taken and they like the stand that the Conservative Party has taken.

They say to me: "You know, we really appreciate the fact that the opposition parties fought hard and got this bill into committee. We really appreciate the fact that there is going to be another series of hearings through the summer and we really hope that, as a result of these hearings, the people of Ontario will have another opportunity to express their views."

They really hope that the government will listen to their views, reflect upon their views and then say: "Maybe we read this wrong. Maybe we should look at this again and perhaps our earlier decision should be changed. Perhaps we should try to work with all of the parties in the Legislature."

Would it not be marvellous for the people of Ontario if the government showed the kind of leadership that said: "Look, the people appear to be pretty much in the majority in opposition to this. Let's work with the opposition parties. Let's sit down with the New Democrats and the Conservatives. We know the present system has flaws, but let's really sit down and try to iron these flaws out. Let's improve the system, let's make it work, but let's not go contrary to the will of the people."

That public recognition factor, as I said, reflects around issues. When I sent out a householder on this particular issue, I had over 7,000 replies from the people of Cambridge. Out of 32,000 residents' homes that the householder went into, there were over 7,000 replies. The response of the people of Cambridge to that householder was over 80 per cent to say that they disapproved of the course of action that the government was taking.

I had a public meeting to which representatives of every sector of the community were invited—the chamber of commerce, the business associations, local labour unions, church groups and consumers—and all these groups represented said that they were opposed to this particular option.

All Liberal members in the Waterloo region and in Guelph say they are personally opposed to the Sunday shopping option, and I know there are many Liberal members who share the view of those colleagues in the Waterloo and Guelph areas. I know it is difficult for them. For discipline the government says, "Look, we

expect everybody on side on this issue." I know there can be denials of this, but the actual manner in which these individuals are behaving in their community is evident. There is either a silence on the issue or there is a kind of assurance to the people, "Well, you know that personally I am opposed to it, and I hope that all municipalities will refuse the option; but you know, we have to give everybody the option."

I know people are in trouble personally, in terms of party loyalty, doing what they think is right and doing what reflects the will of their community. If the government were to say, "We will rethink our situation," I think it would free up those members of the government who are having that difficulty, because it is always a very difficult thing to go against the wishes of the party when it sets down a decision like that.

I do not wish to reiterate much of the argument in opposition to the municipal option, but I would like to put it in the context in which I opened my remarks and in the context of how people will perceive us. All church groups in Ontario are on record as saying to the government: "Please stop. Don't go through with this." I am going to read very briefly from the policy statement of the Ontario Conference of Catholic Bishops, March 23, 1988:

"Sunday for Christians is the weekly celebration of the resurrection of the triumph of life over death, of peace and reconciliation. Not all Ontario citizens share this perspective, but all participate in an ordered rhythm of life which consecrates Sunday to rest and family sharing."

When I meet my constituents, they will say to me: "We support your position because we really feel we would like to keep Sunday as a day of pause. We would like to keep Sunday as a special day. We would like it to be different. We know that society is changing. We know that there are more people working on Sunday. But why must we hurry up the process? Why must we make more people work on Sunday?"

I think there is a positive recognition factor there, and I think all members of the government and all members of the opposition parties will know what I am talking about. When they meet people, the people say to them: "On the issue of Sunday shopping, I agree with you. I like what you are doing." Sometimes, because they like or respect the member personally—and I am sure that is true of many members of the government—a lot of people who would disagree do not say it to the member face to face. They might say it in their home, at work or in a social setting, but they will not say it to a member; sometimes, I believe,



because they like and respect the member personally, for that reason they do not bring up the issue.

But I can tell members, when they know that they are on side, when they know that you are standing up to the protect that common pause day, when they know that you are fighting this municipal option, which we all know will ultimately lead to a greater amount of shopping on Sunday—whether or not it is going to be wide-open Sunday shopping, which is my belief, I think every thinking member of this House will agree that under the municipal option there is going to be an increase in shopping, a great increase in shopping, much greater than exists at the present time.

My friends, I think people will say to us, “I like your stand because your stand is going to save me from increased taxes.” We know that it is not just the opening of the stores. We know that other services will be affected, for example, whether it is transit or police. We know that the equipment in these stores, whether it is fans or cash registers, all has to be serviced. If it breaks down, you cannot simply wait; you have to have a technician come out on call. We know that we are not just talking about the workers in the stores; we are talking about all the support services.

What is happening then is that the number of people involved, the number of people who are being affected, is spreading out more and more. These people are saying to me: “Mike, I like your stand. I like the stand of your party, because you’re going to save me from increased taxes.”

I think they are also saying, in terms of the quality of life: “Mike, I like your stand because it gives me that extra day with my family. I am a single mother. I have a child. That child is a latchkey child six days a week.”

Under this law there is the possibility, there is the potential that there will be additional pressures put on those families, and they are saying: “We like your stand. We like the stand of your party. We want the government to listen.”

My friends, the store owners themselves are saying to the government, “We don’t want this law.” The municipal politicians are saying, “We don’t want this law.” But I put it in the other framework again, because I want to stay with the theme I developed from the very beginning.

Municipal politicians are saying: “Mike, we like your stand. We’re opposed to the option. We’ve made it clear to the government.” The Association of Municipalities of Ontario has made it clear to the government. Workers say:

“We like your stand. We like the stand of your party.”

There is no need to increase the amount of time that people have to spend at work. Let’s also understand that it is not just convenience, because we know that in other jurisdictions where this option has been applied, while the stores may be open on Saturday and Sunday, they have closed during the evening during the week. In that circumstance, people who, say, traditionally work from nine o’clock to five o’clock are now being forced to do their shopping on Saturday or Sunday, where they previously could have done it during the week.

I do not know why the government took this route. I really do not. There is a tremendous agenda in terms of providing for the needs of the people of this province. There is much important legislation that has to be brought forward and addressed. I do not think that the great issue of the day is Sunday shopping.

**1600**

When I go down to the market on a Saturday morning and I am talking to the people of Cambridge, they do not say: “Mike, when is the Sunday shopping bill coming through? Oh boy, I hope that’s through soon because I really want that.” There is no urgency to this. Indeed, the reality is that the majority of Ontarians do not want it.

When we look back at the all-party committee, it actually recommended against the municipal option and its consequence of open Sunday shopping. When we look back at the statements of the government during the election, I ask myself: “Why does the government do this? Why does it want to antagonize all of the good people of Ontario, the church groups, the labour groups, the consumers and the families? Why do they want to do this?” I cannot really understand why.

I am very grateful that the government actually agreed to the hearings of two months over the summer, during the months of August and September. As a member of the committee that will be hearing the delegations of the public, and as an individual who will be away from my family for a considerable amount of time listening to those delegations and will be in the company of many members of the government and of the Conservative Party, we are going to invest two months of time listening to the people of Ontario.

I am grateful to the government for saying: “We will go back. We will take a second look at this. We will listen once more to the people of Ontario before we come to a resolution.” That, I



hope, is what is happening. When I go out and I meet the residents of Cambridge on the street and in the marketplace, I want to be able to say to them: "This government is an honest government. This government is coming back to listen to you. It is sending a committee across the province. I am part of that committee. We want to hear what the people of Ontario are saying."

I want them to have a feeling that when they raise their voices, when they bring their concerns and when they state their position, the government will listen; that the government will not use its majority simply because it is a majority, that it will not use its majority simply because it wants to be stubborn, that the government will not use its majority simply because it has not got the courage to say, "Hey, on second thought, this is not the right road to take." I want to tell the people of Cambridge that.

At this moment in time, I have to admit to the government members, it is difficult for me to say to the people of Cambridge, and hence to the people of Ontario, that that is actually what is taking place, that that is actually the process we are undertaking.

It would be absolutely wonderful if the Premier and the minister were to stand up in this House and quite categorically say: "Look, we as a government are the government of the people. We are going to listen to the people, and in terms of Sunday shopping we are going to implement legislation that reflects the will of the people. We are not going to ram through something that we have a fixation with."

I would love to be able to say to the people of Cambridge that this is the case. Certainly there could be no clearer message if the Premier were to stand up in the House and if the minister were to stand up in the House; then the message would mean something. But, my friends, the tragedy of it is that I have sat through a debate this afternoon in which I have heard really antagonistic shouting and interjections from both sides of the House. I have heard entrenched positions. The government is saying: "You guys don't know anything. You don't see anything." I have to be honest and say that there have been similar remarks made from this side of the House about the government.

But, my friends, I think the reality of the matter is that this is an issue which does not have to be partisan. It really does not have to be a partisan issue. It is a people issue. It is an issue on which we, as the composite body of this House, can actually go back to the people of Ontario and say: "Look; as Liberals, as Conservatives, as

New Democrats, this really is a committee that has been sent out to listen to the people of Ontario. Your voice really does count. What you say to this committee actually means something."

My friends, that to me would be remarkable, an absolutely remarkable statement on the part of the government. I think it would go a long way for the people of Ontario, for the people of Cambridge; no question about it. By golly, I have to say the people of Cambridge need something which can give them some reassurance about this government.

Let me say that if the government would take this course, we would all benefit, because the public perception of politicians and politics is that we are all locked into such partisan straitjackets that we cannot communicate with each other on a thoughtful, real level. If, indeed, we simply go into these hearings as a façade, what a tragedy, what a way to treat the public of Ontario, the very people who elected us.

Every one of us, whether we are Liberal, Conservative or New Democrat, was given a trust by people who really want to believe in us. Simply being in a straitjacket and shouting abuse at each other across the House will not increase their confidence in us.

There is an opportunity on the Sunday shopping issue. Instead of using it as a partisan issue, we can snatch opportunity out of conflict. We, as legislators of all three parties, can say: "We're going into these hearings. We're going to listen to the people of Ontario and we are going to draft legislation that reflects the will of the people as it is presented to us in the course of those two months of hearings."

I want to have confidence in the government. I can say the people of Cambridge want to have confidence in the government. The people of Ontario want to have confidence; they want to have confidence in all of us, and the way we are acting on this issue does not give them confidence.

I say to the Premier and I say to the minister that they should show leadership and tell the people of Ontario that this committee actually means business. We are going to listen and act on what we hear instead of listening and then doing whatever the hell we like. If we do that, we will have set about a real change in the manner of proceeding.

I am going into the committee hearings this summer. As a member of this committee, I can meet the people of Cambridge at the marketplace and I am going to tell them that I am happy the



government has set up this tour of the province so that we can hear the people. I am going to tell them I want to believe it is real, but I would feel much better if the Premier or the minister actually made such a statement.

To the members of the government who have questions—and I know there are those who have questions—I would say it is a tough decision to make, but maybe they have to go into the marketplace and maybe they have to listen.

1610

**Mr. Pelissero:** I would just like to make a couple of comments with respect to the comments of the member for Cambridge around Bill 113.

First of all, I too held a forum in my riding after the legislation had been tabled. Just as a point of information, I was wondering if in fact his forum was held after Bill 113 had been tabled.

Second, I do not see anything inconsistent, either with my position or with any of my colleagues' positions, in being in support of a common pause day and at the same time supporting this particular piece of legislation. I do not see anything inconsistent with that at all.

With respect to increasing shopping and the domino effect, I think the member for Durham-York addressed some of that in his remarks in terms of the perceived domino effect. Currently, the municipalities have the right, by their own mechanisms and by whatever means of justification, to use the tourist exemption. Indeed, some municipalities choose to do so and some municipalities choose not to, and we are not seeing a domino effect across the province because of that.

I think this proposed legislation, with its increased fines, is better protection for the tenants in malls and better protection for the retail workers, where there currently is no protection. Its increased fines are more enforceable and a lot more effective than what we currently have.

The one message that I take from the proposed piece of legislation, Bill 113, is that in fact, with some exceptions, the stores are closed across Ontario.

**Mr. Kanter:** I appreciate the relatively temperate tone of the member for Cambridge and I am pleased to hear that people like his stand. It seems to me if that position is shared by members of the regional government in his area, then very little will change. It may be that some of the openness in the Cambridge area will have to be reconsidered. The farmers' markets, which are now open throughout the year, and some of the stores may have to close, but basically the

direction will be in the area of more closing rather than more opening.

I would like to speak briefly on the question of worker protection. I know that is a matter very dear to the heart of the member for Cambridge. He referred, for example, to the woman who might be working six days a week now.

I think it is very important to point out and to emphasize—and if necessary, to re-emphasize—that that woman, that employee will have more protection under our bill than she has now. About a third of the retail workers in Ontario are now subject to working on Sunday; after this legislation is introduced, and only after this legislation is introduced, will that particular woman have the right to refuse unreasonable work.

Finally, I want to comment on getting down to business. That was one of the themes of the member for Cambridge. He said that it is time to stop being partisan and rhetorical and time to get down to business.

This debate has gone on for about a week and a half. I would suggest that many, if not all, of the major points have now been raised. If the member is sincere in his desire that we get on with business, I would respectfully request that he try to convince his colleagues, and perhaps those in the third party as well, to pass this legislation here and get on to committee, where we will be able to hear people throughout various parts of Ontario.

I think he has a certain responsibility, as do members of the third party, to get on with business. That means passing this bill through this stage so we can get on to the committee stage and listen to the people out there in Ontario.

**Mr. Black:** The member for Cambridge speaks with eloquence and with sincerity, as is his wont, and we are impressed over here. We have heard the message he has had to say and we appreciate the manner in which he has spoken. He has raised the level of the debate to a new level, and we appreciate that.

But I want to tell him that it is a two-way street. When we talk about sincerity and when we talk about honesty, it must come from both sides. It should not be a partisan issue. I agree with him; I think all members of this House would agree with him when he says that. But he must share those views with other members of his party and other members of the third party who continually fail to tell the people of Ontario the real truth about this legislation.

The real truth, and I think one that all of us recognize, is simply this: that the legislation does contain a provincial position which identifies that



stores will be closed on Sunday. That is a fact and that fact should be clearly stated by members of the opposition as well as by members of the government.

The second point that should be made very clearly—and I know the members of the New Democratic Party and the Conservative Party will want to say this across this province when they go to committee this summer—is that we already have a form of local option through the tourist exemption, and the members across the House know that to be true. It has not destroyed Ontario society, and what this act does is simply to provide that same option under the heading of a local option in language which is much clearer. It is fairer legislation. It will benefit all the people of Ontario.

Finally, I want to say to members across the House, let's have honesty, let's have sincerity, let's avoid partisan politics. We will support them in that, but let's tell the whole truth as it is when we go out in committee to the people of this province.

**Mr. Laughren:** I was not intending to get into this debate this afternoon. However, when I heard my colleague the member for Cambridge speak, I felt I really should, because the other members in the chamber I do not think were listening to my colleague the member for Cambridge very well.

What he was really saying is what the Attorney General (Mr. Scott) was saying, and the Attorney General said, when he was talking about the prosecution of Paul Magder, who was open Sundays when he was not supposed to be, that retail workers really have no protection out there, that it is not an equal fight when you put the retail employee up against the retail employer.

The Attorney General made a very passionate and eloquent plea on behalf of the retail employees. He said, "In the world out there, let's not kid ourselves: the employee is not an equal opponent to the employer when it comes to whether or not he has a right with respect to having to work on Sundays."

**Hon. Mr. Mancini:** What do you mean? It doesn't work?

**Mr. Laughren:** As a matter of fact, the Minister without Portfolio responsible for disabled persons (Mr. Mancini) should go back and read what the Attorney General said, because he said that even if the government passes legislation, it is not going to work.

**Hon. Mr. Mancini:** He hadn't seen the bill at that point.

**The Deputy Speaker:** Order.

**Mr. Laughren:** Well, I think that the people who were criticizing my colleague the member for Cambridge had better think twice about what they are saying, because what they are really doing is making fun of their own Attorney General, who understood very clearly one day that the government could not protect retail employees against Sunday working if the employer wanted them to work, and the next day, of course, when the cabinet decided there was going to be Sunday shopping if the municipalities so desired, the Attorney General suddenly decided there was protection for retail employees. Some day I would like to get inside the head of the Attorney General, just for a few minutes mind you, to find out what he really thinks about this issue.

**The Deputy Speaker:** Would the member for Cambridge wish to respond?

**Mr. Farnan:** Very briefly, Mr. Speaker.

It is a final plea. I listened to the comments and I heard the member for Muskoka-Georgian Bay, who summed up my anxieties most succinctly. He said, "Let's get out and tell the truth to the people of Ontario." Unfortunately, the member for Muskoka-Georgian Bay is saying, "Let's get out and tell our truth to the people of Ontario," and on the opposition side—

**Mr. Black:** Just the plain, unvarnished truth.

**Mr. Farnan:** Excuse me, Mr. Speaker, but on the opposition side there is the idea, "Let's get out and tell our truth." What I was trying to say to the members today was, let's get out and listen to the truth of the people of Ontario. Let's get out and listen—

**Mr. Pouliot:** What did you say?

**Mr. Farnan:** Excuse me, Gilles. "Let's get out and listen to the people of Ontario. Let's get out and listen to the church groups. Let's get out and listen to the workers. Let's get out and listen to the mothers. Let's get out and listen to the families. Let's get out and hear the truth of the people of Ontario, for goodness' sake. "It makes absolutely no sense for the government to say, "We're going to use these two months of hearings to get out and convince the people that what we think is right for them," or for us to convince the people that what we think is right for them. What we have to do as a body of legislators is to go and listen to the people. They know what is right for them. Then let us legislate what they believe to be right.



**Mr. Wiseman:** I was going to say that I am pleased to get up and speak on this piece of legislation, but really I would have hoped I would not have had to.

As a retailer for 40-some years—and my family, by the way, is all in the retail business yet—I feel I have earned the right to speak on something which will affect their future and their families and all the rest of it that goes with family values.

I feel also that having been chairman of the Canadian Retail Merchants' Association in the area I represent prior to getting into politics also gives me some background and gives me some reason to get on my feet today and say what I think of this particular piece of legislation.

To make sure that my own personal feelings were not overriding those of my constituents, I put out a brochure, at which time I asked them to answer a number of questions. One of them was—were they in favour of this piece of legislation. As of today, we have had many—not like the member for Cambridge; I do not have the exact number, but it was the best in the 18 years I have been here, and for a number of years we have had the privilege of having mailings go out two or three times per year.

This, along with Bill 30 and Bill 7, rates right up there at the top as one on which I have received an awful lot of replies. It does rate even higher in percentage than either of those other two bills which I have mentioned: 85 per cent of the people of Lanark-Renfrew are opposed to this bill. Never before, as I said, have I ever had that many people in my riding that strongly opposed to something.

Mr. Speaker, you will know, coming from the part of eastern Ontario that you do, that the people in the Ottawa area rallied around the retail merchants and did something—not only in the Ottawa area, but in the smaller areas out in eastern Ontario, and I am sure it is just the same right across the province; they got together.

The largest group of retailers I have ever heard of met in the city of Ottawa—perhaps some from your riding were there as well—to let the government know and let the members who were there know their feelings on this bill and the possibility of even thinking about Sunday opening.

The Progressive Conservative caucus some years ago had a committee similar to the one to be set up this year, only this year it will be all parties represented on tour of the province for the couple of months to listen to people.

All the churches in my area have been violently opposed, with the exception of one, which I should mention. That was the Seventh-day Adventists; they celebrate Saturday instead of Sunday. All the other churches were solidly against this piece of legislation.

The staff in the three stores which we own as a family knew I was going to be on here this afternoon and said: "We don't want to work on Sunday. Please do whatever you can to stop it."

One of the members this afternoon—and I believe it was the member for Durham-York—was over and we spoke when one of the other speakers was speaking, after he had spoken in the House and mentioned that it did not have a ripple effect. Why I wanted to give a bit of the background and where I am coming from is that I know it does have a ripple effect. I know he has been a retailer, but I do not think he has been a retailer as long as I have. I know that in the towns in and around where we have the businesses, they watch closely at Christmastime or other times of the year to see what those people are doing; then they follow suit. If one town in my riding of Lanark-Renfrew or in the Prescott area, where we have a store, decides to open, I can tell members that they will all follow suit.

As a retailer still connected with the business, I can tell members that when they say, as my colleague the member for London North (Mrs. Cunningham) said the other day, that costs will increase to the consumer, they are dead on. They will increase. The other thing is that—

**Mr. Reycraft:** Why don't we just let them open four days?

**Mr. Wiseman:** Yes. Anyway, I am sure that many of the people who have been connected with retailing will agree with my colleague from London and myself—who, I believe, have earned the right to speak as retailers—that prices will go up.

The other thing is that if you open on Sunday, I think an injustice is being done to the people who are purchasing, because they are probably going to be dealing with part-time help. They are paying full cost for the product but getting someone who is not as experienced as the regular staff to look after them.

I will say that we did have a grocery store in one of the largest towns of my riding, in Smiths Falls, and they tried to defy the law and stay open on a couple of different Sundays. I spoke to a chap who knew the manager really well. Even though they had approximately \$7,000 extra in sales that day, they actually went in the hole because of paying the overtime to the staff. A



large store like that had to do much more than \$7,000 in order to make ends meet.

**Shopping centres:** We are not in a shopping centre, as a retail business, but we came pretty close to going into the Quinte Mall. One of the reasons that kept us out of the Quinte Mall was that, as a small retailer, we had to do exactly what the mall owners wanted that particular mall to do. If they said, "Stay open seven days a week," you had to stay open seven days a week. I believe I have heard it said in the Legislature by others that it is in the contract that you stay open seven days a week.

**Mr. Neumann:** This bill changes that.

**Mr. Wiseman:** My lawyer friend from Brampton probably knows; he has maybe written up a few of these leases for people, but it is right in there. In talking it over, we decided that we would not go into a mall because we did not have the say in that or other matters.

**Mr. Neumann:** The bill corrects that.

**Mr. Wiseman:** No way.

**Mr. Neumann:** It does.

**Mr. Wiseman:** No way.

Interjection.

**The Deputy Speaker:** Order, please.

**Mr. Wiseman:** Anyway, I have been around the Legislature for over 18 years. I may be naïve about of the way things worked around here even after those 18 years. I know I was when I first came, but I have always felt that government, whether it was us when we were the government or whether it is this government over there, would listen to the people. When the people told them that they were going down the wrong road, they would be gracious enough to say: "We made a mistake. People really do not want that, so are going to back away from it." It is not that they are a weak government for doing that, I really think they are listening to the people.

1630

I spoke to a group last night in the great riding of Lanark-Renfrew, and some of the people who were there were from the riding of the member for Renfrew North (Mr. Conway). This subject came up. I can tell the member for Renfrew North that there are an awful lot of people in his riding who feel the very same as the people in mine and some from the surrounding ridings who happened to be at that particular meeting feel.

They said to me: "Doesn't government work by consensus? If they see they're going down the wrong road, don't they have the presence of mind

to say the people do not want it and back away from it? I thought that was the way we did it."

As I said before, because of being a retailer and being in for so long—and my feelings were probably a little stronger than those of some other members who are not in that field—I did not want to impose my feelings on the rest of the riding.

**Mr. Laughren:** It never stopped you before, Doug.

**Mr. Wiseman:** Thanks. But I felt that to be a good representative of the riding, you have to show that you are representing your people, every time each and every one of us is back in our riding on the weekends, or whenever that time may be, we are trying to get a consensus. We should be following that consensus. It would keep us out of a lot of trouble.

The people know that at the last election the Premier was quoted at different times as being in favour of a common pause day. He wanted to keep the family values and all that Sunday has come to mean to all of us over the years. Since then, for whatever reason, he has backed right away from that.

I can tell members that things have come a long way from the time when I was a boy and my grandparents—on Sunday, you did nothing but go to church twice, and read the Bible in the afternoon. You never played with the kids or anything. Now we have let our children go quite a piece from there and, as parents, we have gone quite a piece away from there. As the member for Cambridge said, I hate to see us going down that fast track so fast, not listening to the people.

I would like to see the Premier reassess his position on this. Knowing some of the members across the way for the number of years, as I have, sitting on committee and travelling with them on select committees and so on, I am sure that their consciences must really be bothering them to vote for a piece of legislation—

**Mr. Laughren:** Name one.

**Mr. Wildman:** I would not put them on the spot—but voting for a piece of legislation that they, in their heart and soul, really are not firmly in favour of. I think if the Premier cannot see it in his heart to move away from this piece of legislation, which everyone is opposed to, then I think he should give his members over there a free vote to vote their conscience.

Going back the 18 years I have been in here, you win some—maybe you get a school for your riding, maybe you get a factory for your riding—but there are certain issues that come along, like Bill 7 and now this bill, that interfere,



as far as I am concerned, with family values. This is one of them.

I walked away the day we voted on Bill 7 thinking it would come back to haunt us, and in fact at that particular time I felt strongly enough about it that if our leader had not given us a free vote I would not have been standing on my feet here now talking to the Legislature. I felt that strongly.

I am sure there are members across the floor who feel just as strongly on this issue as I did on that one, and I hope—not that we want to see any of them resign over not being able to vote their conscience, but I am sure there are some of them over there who feel the very same way on this particular bill.

I have listened to quite a few speeches on this, and I hope and pray that when the committee goes out this summer it does not go out with a closed mind, it is not just speaking—some of the older members will know that when I was on that side I often got into a little bit of mischief because I did not always follow the party line. If I found that the party was not doing what I thought it should, I had the guts to say so.

For those people who may be worrying about getting into cabinet down the road and everything, worrying that if they say a certain thing they will not get there because the Premier will remember, I will just tell them they are in here for such a short time and then they have to go back to the ridings they represent and look those people in the face and say, “Whatever it was we did through the years we were here we did because we believed in it and we believed it was right.” Our conscience will not come back to haunt us if we follow that rule.

Like I said, I had to do that when I sat on that side of the House, and I would encourage people to vote their conscience regardless of what they are whipped into doing. Hopefully, when they go out into the community this summer, they go out with an open mind and listen to the people. I am sure they will get the same results our committee got and I am sure they will get the same results as the people from Lanark and Renfrew and the other people in eastern Ontario—with whom you are familiar, Mr. Speaker—are giving to us all. Let’s do our jobs and reflect in here what our constituents want us to do, rather than what the government tells us to do.

**Mr. Callahan:** I have not spoken on this matter, and I do not intend to speak to the substance of it, in light of the fact that I am very likely chairing the committee that will be hearing it. But I do want to draw to the attention of the

member for Lanark-Renfrew (Mr. Wiseman) a fact that he could not have overlooked had he read the legislation before he spoke on this issue. This is referring to his comment that his family was not prepared to set up a retail practice in a mall.

Clearly, he would understand section 5a, which reads as follows:

“A provision in a lease or other agreement that has the effect of requiring a retail business to remain open on a holiday”—and holiday is including Sunday—“is of no effect even if the lease or agreement was made before the coming into force of this section.”

Although I have a great deal of respect for the member for Lanark-Renfrew, I think that clearly indicates that when he was asked to speak on this matter he had not even read the bills, because that is a very positive plus and it is very clearly stated there in the legislation.

I just draw that to his attention. One would hope that when we do go out on the road the legislation will in fact have been read by all members of the committee, because I think it is unfair to state that to the people of this province in advance and perhaps mislead them. I know it was not done intentionally, but I would suggest it clearly shows that the member, in speaking to this issue, had not read either Bill 113 or Bill 114.

**Mr. McLean:** I want to just comment on my colleague’s remarks when he talks about the effects it will have across the province. I have to say that nowhere in section 5a, which was just referred to by the last speaker, does the word “Sunday” appear. Perhaps he should have a second look at the legislation. Maybe he would then agree with my colleague on what he is saying because I am sure my colleague is saying what the people across this province are thinking.

Interjection.

**The Deputy Speaker:** Order, please.

**Mr. Velshi:** I applauded the speech of the member for Lanark-Renfrew. What I applauded was his sincerity, but I must question one or two things that are not too clear in my mind.

I think there are two different issues that we are talking about, that the member spoke about. One was Sunday being a religious holiday for Christians. I must agree with that. I have no quarrel with that when he says, “We want to remain closed on a Sunday because it is a Christian holiday.”

But when the member talks about family values, I am a bit uncomfortable with that, because I was brought up in a family where family values mean daily family life, where you



get up and you have breakfast together. In the evening, you have supper together and you pray together.

1640

When they talk about family life for Sunday, then I object to that, because I object to the fact that we are relegating families to Sundays only. The next stage is that we forget about Sunday. Sunday is family life, and we will get into Mother's Day and Father's Day and we will think of our families on only one particular day of the year. I think that is what we are going to.

If we are talking about family life, I think it is wrong for our members to propagate the fact that Sunday is the only day for families. On that basis, if we separated the two issues, I would agree with the member if he stood up and said it is a Christian holiday and Christians object to it. I think it is fine, and I would go for it. I am a Muslim; Friday is a holiday for me. I live in a society where Friday is a money-making day, and we go with that also. We have to fit in with what is going on. But for them to say that six days are for money-making and the seventh day is for family life, I do not agree with that. I support this bill for that reason.

**Mr. Callahan:** On a point of order, Mr. Speaker—

**The Deputy Speaker:** On which standing order, sir?

**Mr. Ferraro:** Standing order 22(b).

**Mr. Callahan:** Standing order 22(b). I thank the member very much. The member indicated the word "holiday," which is referred to in section 5a, does not refer to Sundays. That is clearly wrong, and if he had read the legislation he would understand that.

**The Deputy Speaker:** Order. Other questions and comments? If none, does the member for Lanark-Renfrew wish to respond?

**Mr. Wiseman:** I would like to respond to the member for Brampton South and say that I have read the legislation, and I take "holiday" to mean any day other than Sunday, once this legislation is in place, and the Sunday is any other day. To say I have not read it is wrong, and I am sure the member would agree.

Another member mentioned Sunday as a family day; all of us here know that we would love to be with our families. We would love to get up and have breakfast with them every day of the week. We would love to be home for lunch and we would love to be home for dinner seven days a week, not just on Sunday. But Sunday around our house has come to be a day when

everybody gets together, everybody goes to church and, in the afternoon, everybody does something together as a family. That is what I meant when I said "family day." If we are lucky enough and fortunate enough to be able to do that seven days a week, so much the better.

Most people who are in business, going back to my own, leave early in the morning. The kids go off to school. Living in the country, they are bused, and dad does not get home until after six o'clock. My daughter or my other son is back after six o'clock, which is the way most businesses are. By that time, they have maybe an hour or two with the kids before they go to bed.

That does not give much time for father to influence the family, but Sunday is a day when he can. He has the time to spend and to play with the kids and for them to get to know dad a little better. We know that, as members of the Legislature, because we are faced with that every week.

**Mr. Neumann:** I rise with pleasure to address the issues related to Bill 113, and I will comment on the need for change to the current legislation, a bit of an outline of some of the improvements to the legislation which will come about once the bill is passed, making the Retail Business Holidays Act more enforceable and fairer to all. Finally, I will conclude with some remarks on the role of the municipalities in all of this.

First of all, with regard to the need for reform, the present Retail Business Holidays Act has been abused in the past and has some difficulty with regard to its enforcement.

We have situations on occasion where stores have opened on the Sunday, have been charged, paid the fine and continued to open on the Sunday. We have other situations where stores are regulated by the size of the retail operation and, for all intents and purposes, should not be open on the Sunday, but then rope themselves off to a smaller area or, as in one situation in our municipality I know about, they perhaps divide the store into two and operate almost as two just to get around the legislation.

There are a number of anomalies and a number of problems with regard to the present legislation, and this government has the courage to face that and the courage to bring about reform.

To support my contention, I would like to quote another member of the Legislature: "The legislation that currently exists in the province is somewhat bizarre and reflects the difficulty in achieving a consensus about this matter...It"—that is, the current legislation—"has created a number of fairly bizarre situations in which



stores next to one another and in approximately the same business, are treated differently in terms of holidays.

"I always find it difficult when dealing with a piece of legislation that is not understandable. In fact, I think one of the prerequisites of a good piece of legislation is that it make sense to people. There is no question that the Retail Business Holidays Act does not make sense to people."

This was the member for Riverdale (Mr. Reville) speaking in the debate when the Retail Business Holidays Act was last amended, an amendment which provided that bookstores be allowed to open across the province. You can see, Mr. Speaker, that the spokesman for the third party at that time recognized there was a need for an amendment to the current legislation. I noted, in reading the debate back in February 1987 that members of the official opposition and others from the third party also supported change at that time and the need for reform.

The government has brought about this proposed bill to make the legislation fairer and more enforceable and has done so in a way which provided for considerable input from the citizens of Ontario. The Solicitor General (Mrs. Smith) made a statement in the House last December indicating the need for change, and she indicated that there would be a review of the role of the municipalities as part of any new bill to be implemented.

Considerable time elapsed, several months, between the initial announcement and the tabling of the bill in April of this year, and during that time we heard input from a lot of citizens across Ontario. While the government could have gone with a proposed approach, which would be to repeal the Retail Business Holidays Act totally and turn the matter completely over to the municipalities, in listening to the citizens of Ontario, it was decided not to go with that approach. It was decided to maintain the Retail Business Holidays Act, to strengthen it, to reform it, to make it more understandable, clearer and more easily enforceable.

The government is open and accessible and willing to listen to the citizens. I might add that, as part of this process, over the few months between the time the intent of introducing a bill was announced and the time the bill was tabled, members of our caucus and, I am sure, the members of the other two caucuses considered the input and deliberated on this. At least in our caucus we were provided the opportunity for considerable input to shape this particular bill. It

seems to puzzle some of the members of the opposition and the third party that members of the Liberal caucus support this bill. We were consulted as to the shape of the bill. The bill reflected many of the concerns raised by the citizens, and we believe that the present legislation is eminently supportable.

**1650**

I would like to quote a couple of items from petitions presented in this House. For example, here is one petition that was presented. The "whereas" reads: "Whereas the Premier and other members of the Liberal government have stated the government's intention to repeal the Retail Business Holidays Act and to dump this responsibility in the laps of the municipal governments, who have already indicated they do not want it." Well, it is clear that the bill before us does not repeal the Retail Business Holidays Act; it maintains the act in force. It maintains and strengthens the legislation.

Second, the petitions often quoted the select committee on retail store hours, which toured the province. The select committee's first recommendation was often quoted by members of the opposition and members of the third party. The very first recommendation said, "The primary responsibility for the administration of the Retail Business Holidays Act, or other legislation related to holidays, should remain that of the provincial government." Well, the Retail Business Holidays Act is in place and Bill 113, which is an amendment of that act, not a repeal of that act, maintains the primary responsibility for enforcement with the provincial government.

So the members can see that the bill before us does address the concerns raised in this House with the petitions that have been tabled and perhaps helps to explain why members of our party fully support this bill and support the clarifications to the legislation contained in it.

I would like at this time to refer to some of those clarifications. For example, the provision in the current legislation which deals with roping off, which has been much abused, will be clarified and will be made easier to enforce, because the square footage referred to in the legislation will have to have been the operating square footage for the retail business for the entire week and will not just be there as a temporary, roping-off situation for the Sunday.

With respect to being open on a Sunday, if a retail business is closed on a Saturday because of religious conviction, that has been changed in this bill to ensure that this is done on a consistent basis year-round and not on an occasional basis.



The definition of Boxing Day has been clarified and should end the concerns that exist every Christmas with regard to the confusion there.

With respect to enforcement, the penalties have been increased from \$10,000 to \$50,000, providing a disincentive for a business to open on Sunday.

More important, the provision has been added which will allow a court to order a store to be closed on a holiday, so if a merchant is charged for being open on a Sunday when he should not be open, the court not only may fine the store owner but may order that the store be closed on future Sundays. Then if the store owner persists, the store will be in contempt of court.

Convictions will also be made easier, because advertising the hours of opening on a Sunday can be admissible as evidence in the prosecution. As was mentioned by my colleague the member for Brampton South (Mr. Callahan), section 5a permits a tenant in a mall to remain closed even if the mall is permitted to open on the Sunday.

The companion bill, Bill 114, will provide protection for workers. I would just like to mention that in researching for this speech, I read through the Hansard of the debate on the previous amendment to the Retail Business Holidays Act back in February 1987. I noticed there were speakers from the Progressive Conservative Party and speakers from the New Democratic Party. I looked with care and did not see any reference to protection of retail workers in that debate.

I found it very interesting, because the official opposition, the New Democratic Party, very often comes forward as the defender of the workers and yet its members strongly supported the extension of Sunday openings to bookstores all across Ontario. So I was interested to read whether, in the second-reading debate of that amendment, they had raised any concern about the small-bookstore owner being required to open on a Sunday out of competition with other stores, or whether there was any concern for the protection of the workers who might be required to work in those bookstores.

There was no such concern raised by the members of the official opposition. The only passing reference to it was a comment that they understood that the union supported it. I know of many, many bookstores across Ontario and—

**Mr. Speaker:** Order, please. A point of order.

**Mr. Breaugh:** On a point of order, Mr. Speaker: The standing orders are pretty clear about imputing motives. I listened with some

care and with some interest to what the member for Brantford (Mr. Neumann) had to say.

I am trying to be as polite about this as I can. I recall very well when the bill on extending retail stores hours was put through here. I recall some of the discussion with the House leaders at that time. The government very much wanted the legislation. We had had a fairly good discussion in committee and it was generally agreed that there was no need for a long debate.

If we allow the member to proceed this afternoon, saying that with each and every bill that comes before us, we need to reiterate the entire policy of the New Democratic Party, we will do that. But it will make this legislative process a very slow one.

If he wants to tell us why he supports the bill, that is fine. But I am not really interested in listening to a litany of whether we did not put on the record, during the course of every single bill, every single policy of the New Democratic Party. It does seem to me that that is coming awfully close to imputing motives.

**Mr. Neumann:** I do not believe that is a point of order. The only point I am making is that the last amendment to the Retail Business Holidays Act occurred in 1987. I carefully looked through the debate at the time and there was no concern raised then. When the right to open on Sundays was extended to bookstores across Ontario, I did not see any concern raised in the speeches, which I have in front of me, about the workers who would be required to work on Sunday.

As I was saying, the companion bill, Bill 114, provides for protection of retail workers. I am proud of the fact that this party has introduced that bill as well.

I would like to conclude my remarks with respect to the role of the municipalities in this process. The present legislation provides for municipalities to determine Sunday openings within their municipalities under a tourism designation option.

We know there are numerous examples right across Ontario of this happening. In fact, there is one in our area, the village of St. George, which has been open for some time now. Of course, we know of Windsor, Niagara Falls, Sault St. Marie and other examples across Ontario. The municipalities have had a role already in determining Sunday openings.

The problem is that the implementation of this provision is sometimes clouded because it is not always clear that the motivation is pure and simple tourism. Sometimes it is difficult to determine whether the reason for the opening is



tourism or not. As an example, in our area, I mentioned that the village of St. George is open on Sunday. Is it any more of a tourist destination than the town of Paris? It is pretty hard to distinguish.

What this bill does is clarify the role of the municipality. It does not force the municipality to open on Sunday. As I mentioned, the primary responsibility remains at the provincial level, with the province providing the basic framework, putting forward a stronger and clearer bill and maintaining the responsibility for enforcement.

**1700**

No municipality is required to enact the bylaw. However, municipalities do have the option, as they currently have the option, to regulate store hours Monday to Saturday. Once this bill has been passed, they will have the option—should they choose not to agree with the standards in the provincial legislation, they may vary the standards to suit local conditions.

That could go either way. It could be that a municipality in this province might decide it favours more closings than are required in the provincial framework law. It could pass a bylaw to make Sunday more of a common pause day. If it decides to open up a section of the community for whatever reason—maybe related to tourism or for some local circumstance—it can choose to do that as well.

However, I would like to make it very clear that this bill does not require the municipalities to do that. It gives them that option should they so choose, to suit their legislation locally to local circumstances. This means that each municipality will be able to respond to local needs.

I think it is an indication of the confidence this government has in the role of municipalities across Ontario, the confidence we have in them to make decisions, as they have done for many years in regulating store hours Monday to Saturday.

**Mr. D. S. Cooke:** Even though they don't want it.

**Mr. Neumann:** I hear the member saying they do not want it. Well, if they do not want it, they do not have to make a change. They can accept the provincial framework. The provincial government maintains the responsibility for enforcing the current bill and the amended bill once it is carried and becomes the law of the province.

I stand in support of Bill 113. I believe it is a progressive move forward: It will make the enforcement of Sunday closing easier; it will discourage people from opening illegally be-

cause of the higher penalties; it will make it easier to get convictions and, at the same time, it is flexible in that it provides for local circumstances.

In conclusion, I would like to point out that I was pleased when the decision was made to allow this bill, once it passes second reading, to go out to committee. While there has been some input from across Ontario that shaped this bill—and I stress that this is an open and accessible government—and the input we received through our members of the Liberal caucus helped to shape this bill, perhaps there should be further opportunities for citizens to comment prior to third reading being given.

So I support the idea of having a committee travel the province, an all-party committee, to listen to the people and indeed determine whether there are some further changes that might be considered.

I was very pleased to hear the Solicitor General indicate the other day that she is open to further suggestions. I had one I put forward to her relating to the decision-making process that a municipality might follow once it determines it wishes to pass a local bylaw.

I think there probably should be some consultation with the community and perhaps notification to adjacent communities. I was pleased to hear the Solicitor General indicate her willingness to be open to suggestions from the committee which tours the province.

In conclusion, I would say that I enjoyed the opportunity to participate in this debate. I find the bill to be, as I said, progressive, positive and forward-looking, and one which is eminently supportable, from my perspective.

**The Deputy Speaker:** Questions and comments? If not, do other members wish to participate in the debate?

**Mr. Allen:** Yes, I would like to participate in this debate. I find very few of my constituents who do not want me to participate in this debate. In fact, I find not only very few individuals, but when it comes to institutions of all kinds in my community, I also find a massive unhappiness with Bill 113 and Bill 114 and the whole record of the government in its introduction of this legislation and the purposes that appear to lie behind it.

**Mr. Black:** Purposes that lie behind it? What do you mean by that?

**Mr. Allen:** The purposes that lie behind it are quite obvious. The Retail Business Holidays Act has been clearly gutted, opened up. The previous speaker talked in sophistic terms of its being



more enforceable, a framework being in place and so on. It is true the Retail Business Holidays Act still stands. It is true there have been one or two minor changes in it which in and of themselves would be an improvement if that act still stood isolated as it was previously, without the additional element of the municipal option that has been introduced into it.

The introduction of the municipal option, in point of fact, has changed the total character of the bill and has rendered it guttable by any municipality and every municipality that chooses to take action under the terms of the legislation.

As for the notion that somehow or other it is therefore more enforceable, it is only enforceable in the sense that its enforceability has been totally waived as an option by the provincial government, since any municipality that wishes to duck out from under the framework legislation can do so and can follow any number of routes to eliminate virtually every provision of it. I do not see how that is contestable.

For example, on a simple motion, the council can, first of all, create an open designation based on location, size, number of persons employed, character of business or any other criteria. A subsequent simple motion in council could alter an existing bylaw by extending the open designation to one or more stores, one or more streets, a new development or a whole town.

Second, it could change the hours of Sunday or holiday shopping in all or part of the designated open areas. Third, it could change, for one time only or for all time, whether retail employers and employees in the municipality can celebrate Christmas, Boxing Day, Good Friday, New Year's Day, Victoria Day, Canada Day, Labour Day or Thanksgiving Day with their families. It can create open areas for some times of the year and close them for other times.

In spite of the square footage requirements in the bill for pharmacies, convenience stores and others, it can change those requirements too. The prohibition against roping off becomes meaningless in a world where individual stores can make applications to have space requirements increased for the store by a simple motion in council.

They can also get special exemptions for all types of retail business granted in the bill. While the government has listed convenience stores, pharmacies, commercial art galleries, bookstores, videotape rental stores, gas stations, nurseries, fresh-produce vendors, bars, taverns, restaurants, hotels, motels, rooming houses, laundromats and other coin-operated services,

car and boat rental services and car and boat repair services as exempt from having to close on Sundays and holidays, this exemption can be altered by a simple motion in council.

Finally, any of the so-called horrendous fines that are supposed to keep everything in place and everybody marching in order in the framework legislation can be changed to a much lower amount without changing anything very much, thereby making it possible for anyone to breach any aspect of the legislation or any of the bylaws without incurring a penalty that would be prohibitive.

So the whole notion that the previous speaker put before us that somehow the Retail Business Holidays Act is rendered more enforceable is really only tenable in a very sleight-of-hand kind of argument which obscures what, in fact, in the heart of the bill it really does, namely, pawn off to the municipalities the option of regulation at virtually every level and with every respect to holiday openings and closings across Ontario.

The notion that somehow that is unlikely to be taken up or somehow will only be taken up here and there, in accord with local conditions and local interests in terms of the culture and best interests of all the residents of each community of each municipality in turn, is surely belied by most of the record of what happens when adjacent municipalities that I am aware of get into questions of store openings and closings.

In our region, for instance, we had a big debate over Monday, Tuesday and Wednesday night openings. In fact, when you went around and asked any and all of the retail operators themselves whether they wanted it in our municipality as against the adjacent one, the answer was always: "No, we really don't want it. We can't really see that it is going to benefit us in any real, substantial way."

But the moment of course that the adjacent municipality moved in that direction, it became incumbent, obviously, on the retailers in the adjacent municipality to argue that in order to compete and draw people in across the boundary, they had to be open Monday, Tuesday and Wednesday nights. The result was that the municipality went along with that pressure and made that possible. It is a classic case and the case keeps on repeating itself.

## 1710

Whether or not the tourist exemption is used by all municipalities across the province is a slightly different kettle of fish, because not all municipalities have been as brazen as Mr. Lastman has been, for example, in arguing that



perhaps all of North York might be considered a tourist area under the legislation and, therefore, everything be open by virtue of that.

There are obviously some reasons, at least some guidelines, that hang around the tourist exemption. At least there is something there to argue with. What we have, in terms of the transfer to municipalities of the local option that has opened up for municipalities to wholly move away from the framework legislation that the government says stays in place under this bill, is a quite different proposition. There is literally the opportunity of removing virtually all the guidelines that would be in place to provide any kind of systematic maintenance of a pause day for the residents of such a municipality.

I have listened to the government's arguments with respect to this bill time and time again. I simply find it impossible to understand why, apart from the argument that the Solicitor General has put forward, we found it too difficult to rationalize the legislation for the whole province, especially in the light of the tourist exemption. Everyone I have talked to in our municipality believes that was a pure and simple copout. Hard as that might have been, difficult as that might have been, it was something that the Solicitor General and the cabinet ought to have tackled and to have wrestled to the ground.

**Hon. Mrs. Smith:** We did. We did.

**Mr. Allen:** Sure you tackled it, but then you gave up before you got through with the job.

Why it suddenly becomes easier for municipalities wrestling with those questions to resolve the issue, than for the government of the province to do so on a province-wide basis, is certainly a very great mystery to me, as it is to most of the small business people and most of the municipal representatives in my region.

Our municipality, like other municipalities across the province, has made it plain that it does not want that responsibility. It understands the pressures that it will be under. They are practised politicians. They quite understand why it is sensible and reasonable for business people to try to maintain a competitive advantage or to meet the competition of neighbouring businesses or neighbouring municipalities. They know the kind of pressure that they can come under. They do not want this option and I do not understand why the government insists on leaving it out there for them to be subject to the vagaries of the competitive marketplace and to leave statutory holidays and, in particular, Sunday exposed in that way.

Likewise, if you go around and talk to the business improvement districts in my community, there is not one of them that has a good thing to say for this kind of option being exercised by the municipality. If you go to any of the professional organizations that deal hands-on with people and who deal with family care, child care and teachers, you find a great concern among them.

For example, anyone who understands the problem of the difficulties of problem families or families who have relatively small proportions of time left to them will understand the difficulties that they have in coping with problem children, for example. You have to have some kind of family stability in order to respond and maintain a support system for children who have learning disabilities, for example. This bill, with regard to those and retail employment, could very well eliminate a large portion of the support time that families have for those children.

You talk with teachers. Teachers are concerned that parents have time with their children to work through their homework, to make certain that there is a context in the family in which there are times when that homework gets done and that the child's welfare at school can be attended to. Teachers express their concerns about this bill with regard to its possible impact on the available family time for pursuits like that.

If you go to any of the churches in my community, you will find that virtually every one of them has either taken up a petition or has sent a letter to the government protesting what is being proposed, not simply from the point of view of religious observance, certainly, but from the point of view of the additional pressure it puts on families in terms of their available time together. Certainly, if you go to the labour community in Hamilton, you get a unanimous view of this particular legislation in most uncomplimentary terms.

Not long ago, I had a television program on this subject to which I invited a schoolteacher, a small businessman and a retail employee to come and participate in a discussion of the legislation. The woman who was the retail employee said that she had been under the circumstance of having to work successive Sundays in a particular employment she had, and how absolutely devastating she found it was, not only personally to her morale, but to her family's sense of wellbeing and even to her own health.

If you talked with the businessman in question and asked him if Bill 114, An Act to amend the Employment Standards Act, is in any respect



enforceable, he could talk to you for 15 or 20 minutes, half an hour, and list all the ways in which he could get around that piece of legislation in order to make it difficult for any worker who refused to work on Sunday to stay in his employ or to get any advancement in his employ.

The simple message, with respect to Bill 114, is that it is unenforceable, that the so-called reasonable grounds which have to be alleged in it are so broad as to make it extremely difficult to work within as an employee; and the reference to the labour relations board and so on, and to appeal mechanisms beyond the act clearly are very intimidating ones for most workers to engage in, quite apart from having to encounter the wrath or the displeasure of their own employer in doing so.

At the end of the day, when I consider this legislation and I listen to all the arguments, when I listen to the viewpoint of the public in my riding and as I hear it coming in from around the province, I find it a rather unadulterated mystery as to why the government really has insisted on proceeding in this fashion. I find no assurance at all in the arguments that the so-called ripple effect, the domino effect, will not happen. I find no assurances at all in the protections which are supposed to be given in Bill 114. I have no assurance at all that the framework legislation will stay in place, or that all of the mechanisms of enforceability in it will function. None of that, in fact, is at all certain.

I think it was about 100 years ago that Ontario small businessmen, labour, the churches in the province, began trying to get the question of working hours into a much better focus, and they went after retail closing hours, both during the week and on weekends. Eventually, they were able to ring back wide-open store openings, both during the week and on the weekends. It is really rather strange that, having secured some substantial gains for the quality of life of families in Ontario as a result in the intervening decades—I remind members, for example, that when the Lord's Day Act itself was passed in 1908, at the stroke of the pen, some 90,000 employees were granted, for the first time in their lives, a Sunday to themselves.

Having gained all that, what really puzzles me is why the government of Ontario at this point wants to put all that at risk, when there really is no necessity for doing so. When, in point of fact, it should be not only maintaining the structure and the framework of the Retail Business Holidays Act intact, in place, but without

equivocation, should be amending it in such ways as to make the tourist exemption a more functional amendment to the act and then moving on to reduce the hours of labour of working people in Ontario to 40 or 35 hours a week as a standard matter, get rid of the 12-hour additional time that retail employers may add on to their employees on a weekly basis, which is now at their discretion, and try to open up, indeed, more time for families than is presently available.

#### 1720

One of the great failures in the recent history of this province and this country came when, over the last two decades, women began moving in really substantial numbers into the workforce. Yet at the same time we did not amend the daily and weekly hours of labour of people in the workforce, with the result that today families are under much more pressure of working time. They return home more tired and less able to respond to the demands of each other as spouses, to the needs of their children, to the need for time together in families. That has been a major failure of contemporary Ontario lawmakers, employers, indeed of all of us. What we have in these two acts is something that simply will make that circumstance even worse for families in Ontario.

I close my remarks with an appeal to all members, on behalf of families in Ontario, to rethink not only this but also some other aspects of our legislation, to give families more time, to take the pressure off them. We know the kind of crisis that the family is under in our time and we need to be responding to it more creatively than we have done. These bills do not help. They simply make matters worse.

**Mr. Fleet:** I was interested in the comments made by the honourable member because I think he usually attempts to provide thoughtful commentary to whatever is being reviewed by this House. I found it odd that he would say there has really not been a full thinking and working through of this topic.

There has been criticism by him and other members of both opposition parties on the notion of having the tourist zone. We have said, of course, that getting rid of that was important because it did increase the fairness and enforceability. But in fact the hypocrisy comes out in the criticism that is made by the honourable member and his colleagues, because nobody is proposing an alternative definition. Nobody is coming forward and saying how he is going to do it better or different or whatever. They are merely being critical of the government.



We appreciate that all they are here for is to be critical, as best they can, and they are not really doing the job for the people that they ought to. They have not got a better alternative—nobody has brought it forward—and so the facts do not seem to get in their way. That is clear.

The suggestion that somehow we are going to have a collapse all over Ontario because the local option will be irresponsibly exercised by the municipalities is really just not bearing up. In fact, what we are seeing in this debate that is taking place now and will continue all the way through to the municipal election is that communities are making conscious decisions about what is appropriate.

That is the bottom line. The people are having the greatest possible input. The reason we do not propose from this side to have a uniform rule is because that would be manifestly unfair. What would be appropriate in Oshawa—as the member chuckles away—and what is appropriate in Windsor, Toronto and, say, Kapuskasing is not all the same thing. Each municipality is quite capable of having a discussion within the confines of the regional municipality, in the local municipalities, to decide what is best for it. Surely that is the point of the legislation. It is quite simple as a concept.

Of course, the opposition does not want to deal with the simple facts. They want to obscure the reality of what is coming forward for the sake of their own political benefits.

**Mr. Villeneuve:** I also want to comment and participate in the debate with my colleague, the member for Hamilton West (Mr. Allen). I happen to agree fully with him on this one. I am glad to see the member for Cornwall (Mr. Cleary) here. He was not on the select committee on retail stores hours. I find it very strange that the Liberal member who was just up, from one of the Toronto ridings, talks about hypocrisy.

I see the member for Yorkview (Mr. Polsinelli) here, who was a member of the select committee on retail store hours, a committee of this Legislature. The member for Yorkview, Brampton South, Guelph (Mr. Ferraro), the former member for Grey, the member for Lambton (Mr. Smith) and the member for London South (Mrs. Smith) unanimously agreed that we need a common day of pause—I could read into the record the recommendations—and they have the audacity to say that the people on this side are talking of hypocrisy.

It is sacrilegious. It is an unbelievable situation. The member for Cornwall knows very well that his mayor, a man he knows very well,

the chairman of the Coalition Against Open Sunday Shopping—

**Mr. Callahan:** On a point of privilege, Madam Speaker: Brampton South was mentioned. Yes, the member's leader did, in fact, tell our papers that I was opposed to Sunday shopping. I am not saying whether I am for or against it, because I have to chair the committee, but that was absolutely wrong.

**Mr. Villeneuve:** I am sorry, Madam Speaker. The select committee has very much on record that the member for Brampton South and the member for Guelph were part of this committee.

**Mr. Ferraro:** On a point of information, Madam Speaker: I wish to point out to my honourable friend that I was not a part of that committee. But the point is: am I personally opposed to Sunday shopping? I have said yes, but I believe in the municipal option. I was not on that committee and I want to correct—

**The Acting Speaker (Miss Roberts):** Order. If the honourable member wishes to participate in the debate, there will be further time.

**Mr. Villeneuve:** The member for Guelph is named among other members who served on the committee. His name is on the front page. He would rather not have it there, but it is there.

**The Acting Speaker:** Order. The member's time has expired. Does any other member wish to comment upon the remarks made by the member for Hamilton West? If not, the honourable member for Hamilton West has two minutes to reply.

**Mr. Allen:** I am not sure it is worth two minutes in reply. If the honourable member for High Park-Swansea (Mr. Fleet) would go and ask my constituents who the hypocrites are in this particular matter, he would get a pretty ready answer. It would be the people who went into the last election and told us they were going to come forward with legislation based on the legislative committee's report, and then turned around within a few weeks afterward and told us they were not going to go on that basis, that they were going to go for the local option, the domino theory and the whole works.

It is quite obvious that behind the whole impetus of this legislation has been a very fundamental misreading of the public of this province, the notion that somehow or other the Premier put before us, let's say, about a year ago when he was talking about how a modern province needed to have this, that and the other thing, and included in it was Sunday shopping.



It is obvious that the modern Ontarian does not want Sunday shopping of the government's style, and we in my constituency do not want it either. We all know where the hypocrisy lies. He does not have to tell us that one.

**Mr. Cureatz:** It gives me a great deal of pleasure to have the opportunity to participate in this debate. We are so excited to see the number of Liberal back-benchers in attendance. I am hoping they will listen clearly so that we may disperse to them—

**Hon. Mrs. Smith:** How about me?

**Mr. Cureatz:** Well, and one and a half cabinet ministers.

**Hon. Mrs. Smith:** Which is the half?

**Mr. Cureatz:** The one is the Solicitor General; the half is the Chairman of Management Board of Cabinet.

Interjection.

**Mr. Cureatz:** All right. One and three quarters. Oh. Two and three quarters.

**The Acting Speaker:** Order. I assume the honourable member is going to commence his speech as soon as possible.

1730

**Mr. Cureatz:** It just shows the significance that these two pieces of legislation have with the cabinet of Ontario, there being only, yes, three ministers of the crown in attendance; all the rest of the back-benchers are here, following in tow.

Interjections.

**Mr. Cureatz:** I say to the Solicitor General that she should just go and answer about the police commission in Metropolitan Toronto.

All the other back-benchers are here in tow saying, "Aye, aye, sir; three bags full, sir." It is hopeless, I think now, with the Liberal back benches. I have given a number of speeches in this learned chamber, and I am trying to give them some enthusiasm, some direction, a role to play, because there is an important role that they could play here in the chamber.

I say to all the people at home that they will have an appreciation of this because they will see there are 94 elected Liberal members of parliament, a humble 17 Conservatives and a little-less-humble 19 New Democratic Party members. That is a big job for the opposition, to be speaking in terms of the kinds of legislation we have before us, namely, Bill 113.

With guiding light, I have suggested to the Liberal back-benchers that one or two of them should take some initiative and start asking

questions of the front four, who are really running this place around here.

Interjections.

**The Acting Speaker (Miss Roberts):** Order.

**Mr. Cureatz:** It surprises me that none of them listens. It is just astounding that they do not realize that the four people—the Premier, the Treasurer (Mr. R. F. Nixon), the Attorney General (Mr. Scott) and the government House leader—are really running the show here.

I can just imagine what happened in caucus. I say to the people at home, this is how it really works with this legislation. Do they wonder how in the world we got into this position? I will tell them how we got into this position. The Premier came up with this brilliant idea of sloughing it off to the municipalities. Of course, he has this huge, massive majority government now. So he wanders into caucus one day, and he casually says, "We are going to be proceeding with what we call Sunday shopping." Politicians like to put little labels on legislation. Of course, this is Bill 113, I say for the benefit of the Speaker so that she will not call me to order for not talking on the particular bill at hand.

He casually mentions right at the beginning of the new session after the election, "We're going to go ahead with Bill 113, Sunday shopping legislation, and I am sure that is in agreement." Well, there were so many new Liberals—how many new ones? Sixty or 70? I do not know. There are so many I still have not got to know them all, unfortunately.

**Mr. Reville:** New Democrats as well. You should count them.

**Mr. Cureatz:** Yes, but they are not in the Liberal caucus.

They did not know what was going on here. I mean, the Premier just got elected with a huge majority, and our leader was defeated; we were in chaos. They all nodded politely like—what is the term we use around here?—seals. Is that it? That is right. They all nodded politely—

**Mr. D. S. Cooke:** What about Mondays and Thursdays? You're in court, not in chaos.

**The Acting Speaker:** Order. The member for Durham East.

**Mr. Cureatz:** I say to the honourable member, court does not sit on Sunday. On Sunday, I and my wife and three children attend church regularly, and we will continue to do so, notwithstanding the legislation that is being passed.

**Mr. D. S. Cooke:** Is that where you line up your clients?



**Mr. Cureatz:** I was going to be complimentary to the great and wonderful New Democratic Party, but I can only remind the House leader, let's go back to the member for Oshawa (Mr. Breaugh). What did he tell us about the NDP, about the great and wonderful victory on September—whatever it was? I say to the House leader, the party would be better served with the member for Oshawa leading the NDP.

**The Acting Speaker:** Order. I would remind the member for Durham East that he should make his comments through the Speaker and attempt to keep them as close as he possibly can to the bill at hand.

**Mr. Cureatz:** Back to how the legislation came before us: Of course, all these new Liberals were unfamiliar with the process; so they all thought: "Well, I guess the Premier knows what is going on. We'll all nod politely, and we'll carry on with the legislation." But it is not until a few months later when finally all the Liberal back-benchers get all the riding offices organized. Do members know what started taking place? All the phone calls came in from the concerned constituents that they have in their ridings about the proposed legislation, Bill 113.

We have heard time and time again about the municipal option. The learned chairman of the standing committee on administration of justice, whom I am going to have the opportunity of serving under come August and September, indicated it is up to the municipalities. I want to bring to his attention—and if he could stand up on a point of order I would appreciate it—what it says here under explanatory notes, the head notes.

I ask in reference to the municipal option, what happens where it says, "the Lieutenant Governor in Council will have similar powers with respect to territory without municipal organization." Does that mean the cabinet is going to make the decision whether there should be Sunday shopping in those unorganized municipalities? If that is what it means, I am going to be more than interested to see what the decision of the cabinet is going to be when those unorganized municipalities come forward to the Minister of Municipal Affairs (Mr. Eakins) and say, "Will you please bring us in or pass the appropriate regulations for the legislation to allow us to be open on Sundays?"

Interjections.

**The Deputy Speaker:** Order.

**Mr. Cureatz:** Then the heat is going to be on the government for sure, not for a lot of the back-benchers who represent a good part of

southern Ontario, but for the members for the north, possibly, where there are a lot of unorganized municipalities. It is going to be interesting to see the decision because it is going to rest now with the front four. What are they going to do in terms of making the decision in regard to Sunday shopping in those municipalities? Well, that is the opening gambit.

Of course, we want to bring to the attention of people back home that we are discussing Bill 113, which, among other things, indicates that the penalty for illegal Sunday openings is increased from \$10,000 to \$50,000, which is indeed very onerous. But, of course, the municipality has the option of passing the appropriate bylaw, I say to the Solicitor General, to decrease that to whatever amount it wants.

Actually we are not discussing Bill 114, but, of course, I too follow the lead of our own House leader, who is trying to organize it with the government House leader as to how these pieces of legislation are going to pass. My NDP colleagues very clearly brought forth some of their concerns, basically that the so-called protection for Sunday workers "encourages but does not force retail employers to work out co-operative arrangements for Sunday work that take into consideration people who prefer not to work on Sunday." That is the companion legislation, which in theory we are not discussing at this moment, but I am sure in an effort for us to leave these chambers for the summer recess, so we can go on to particular committees, that will be passed in conjunction with Bill 113.

I thought we could, as Bud Germa, the member for Sudbury a long time ago, used to say, do a little walk around town, a little kaleidoscope of what has been in store for all the Liberal members in regard to Bill 113, the Sunday shopping legislation.

I was listening with great interest yesterday when my learned colleague the member for Leeds-Grenville (Mr. Runciman) got into an interesting discussion with my almost seatmate, the member from Eglinton (Ms. Poole), who is not present at the moment, about the comments of the Premier. As Eric Dowd has indicated, "Advice Offered to Students on Safe Sex has Premier Treading on Unsafe Ground." That debate between my colleague and the Liberal member over on the rump side of the House was interesting, to say the least, and it did get confused between Sunday shopping and sex. I want to say that in terms of my comments, we are going to relate specifically to Bill 113.



The first things that has been brought to my attention are comments from across Ontario. Some of the members from western Ontario might be familiar—and of course I know the Liberals would be—with Waterloo Regional Sundays for People, an interesting pamphlet that has been produced, no doubt at great expense, by grass-roots people out in that part of Ontario—not quite as far as the Solicitor General's riding, but getting into western Ontario—a pamphlet expressing their concerns about Sunday shopping.

I say to all the Liberal members, as proud as I have been of their speeches—and they have been stalwart; the member for Brantford (Mr. Neumann) stood up in his place and did the best he could trying to defend the position of the government—all of them know, in their heart of hearts, that this has been a tough one for them in their constituency offices. It has been a tough one.

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I will tell them, it is going to be my job at the next go-around, in 1990 or 1991, to remind all my constituents that I do not remember the Liberal candidate in my riding talking during the campaign or putting out her pamphlet, as none of them did, about the legislation in regard to Sunday shopping. Did they say that? I think they did not and I do not think any other Liberal member across the way—as a matter of fact, I will be quoting from the Premier (Mr. Peterson) about his comments on Sunday shopping during the election campaign.

Well, that was from Waterloo, a little walk through Ontario. How about the recent by-election? Shall we refresh all the members' memories—and I say this to the people at home—about the recent great victory of the member for London North (Mrs. Cunningham)?

**Mr. Callahan:** Where is Dianne? Did she go home or what?

**The Deputy Speaker:** Order.

**Mr. Callahan:** I am just checking where the member for London North is.

**The Deputy Speaker:** Order. I am just checking to find out if the members remember standing order 24(b). That is what I am checking.

**Mr. Cureatz:** Mr. Speaker, I sincerely appreciate your intervention to keep this large, disorderly, arrogant Liberal government in tow. They are not allowing the free speech of the few humble opposition members that are here. I appreciate your intervention.

I say to the people at home that we just had a by-election and it was purported that we were

going to lose, that the poor, downtrodden Conservative Party of Ontario did not have a chance. Why? Well, it was in the Premier's backyard, in London. Why? There was also the Solicitor General, who I believe is the first woman Solicitor General in Ontario, for which I give her my congratulations.

Two powerful people in terms of running this Liberal administration were hands-on with the people in that particular riding of London North. They knew what was happening and they were going to be successful, notwithstanding that the previous member, Ron Van Horne, for whom I had a great amount of respect, came out with a few unsavoury comments about the large Liberal administration.

I ask all the Liberal members—

**The Deputy Speaker:** Order.

**Mr. Cureatz:** Did we win the by-election? Did we win? Yes or no? How about the member for Brampton South (Mr. Callahan): Did we win the by-election?

**The Deputy Speaker:** Order. Do you have a point of order?

**Mr. Haggerty:** On a point of order, Mr. Speaker: Under the rules of debate a member cannot persist in needless repetition. I suggest that is what the member has been doing here for the past 15 minutes.

**Mr. Wildman:** On the point of order, Mr. Speaker: It is true that any member is not supposed to have needless repetition. But there are those of us who believe that this member is doing the best he can to get it right.

**Mr. Callahan:** On a legitimate point of order, Mr. Speaker: It has been a tradition of this House that a member—

**The Deputy Speaker:** Under which standing order?

**Mr. Callahan:** A member is not permitted in the tradition of this House to refer to another member who is absent from the House. I speak of the member for London North who is not present in her chair. The member has referred to her on numerous occasions. That is contrary to parliamentary procedure.

**The Deputy Speaker:** Before this long series of points of order, I was about to remind the member to address his remarks to the chair and not ask other members questions.

**Mr. Cureatz:** I appreciate the learned comments from the member for Brampton South who is so free and easy with the keys to the Don jail.



I just want to say that we won the by-election, and one of the major issues that was brought forward in that campaign was Sunday shopping.

The learned members, all those Liberal back-benchers, are concerned about needless repetition. Let us carry on to another learned colleague of mine, the member for Northumberland (Mrs. Fawcett) and her constituency report. I want to say that I have great respect for this member, the first Liberal member elected in that riding in how many years?

**Mrs. Fawcett:** Fifty.

**Mr. Cureatz:** Fifty. See, I give credit where credit is due. Mind, there are a few too many pictures in here for my taste but, listen, all members have their own approach.

**The Deputy Speaker:** Order.

**Mr. Cureatz:** Mr. Speaker, I want to review the pamphlet with you just briefly because it ties in interestingly with Bill 113.

**The Deputy Speaker:** I was about to ask you.

**Mr. Cureatz:** "Agriculture and Food" is one section, "Natural Resources" another section, "Youth" another section, "Tourism and Recreation" another section, "Budget"—if members can believe the member for Northumberland wanted to say anything about the budget—another section. "Legislative Page Program" is good and worth while, and I think "Congratulatory Scrolls and Official Messages" is worth while. That is the conclusion of her pamphlet.

Do members know what? This is how astute she is; this is how crafty she is. There is not one mention of Bill 113 and the Sunday shopping legislation in downtown rural Ontario. She did not put this on the front page of the Joan Fawcett Report. She did not say, "I am supportive of Sunday shopping legislation in Cobourg, Colborne, Brighton and Castleton." Give me a few other names. Not once did she mention it.

**The Deputy Speaker:** Order. You have a point of order? Under which standing order?

**Mr. Laughren:** On a point of order, Mr. Speaker: Sterling Campbell didn't either.

**Mr. Cureatz:** The point of the matter is, I say to the people at home, fear not, some of your representatives, albeit they are Liberals, are indeed against this particular piece of legislation and are shying away from it as fast as they can. They are hoping it is going to be over and done with in a few short months, way before the next provincial election, because they know the heat they are receiving in their constituency offices over Sunday shopping.

What kind of heat are they getting? Here is an interesting letter that I got from the Right Reverend Terence E. Finlay, coadjutor bishop of the diocese of Toronto, area bishop of Trent-Durham. Here are some of his concerns about Sunday shopping. Interestingly enough, a present resident of my riding of Durham East, he will be taking over the archbishop's position within a year or two. Here is the concerned letter he has to "Allan Furlong, MPP, Durham Centre."

The member is not here. I have a great respect for the member for Durham Centre. I have known him for a long time. But I want to tell the House what the Right Reverend Terence E. Finlay says:

"Thank you for your Queen's Park report, April 15. The new proposed legislation still does not deal with a common day of pause for society in Ontario. History, whether it be religious or secular, convincingly affirms a need for a regular time for rest from routine activity for the wellbeing of society.

"Frankly, the proposed legislation appears to be an example of passing the buck"—this is from the future archbishop of the Anglican Church, my church, which I attend from time to time, in Port Perry—"rather than respecting the large mandate which the people of the province of Ontario gave the present government to manage effectively and responsibly the life of Ontario."

Interjections.

**The Deputy Speaker:** Order.

**Mr. Cureatz:** I find very interesting, as much as I respect the member for Durham Centre, the kind of passing-the-buck response that he gave to the future archbishop of the diocese of Toronto.

Of course, in conjunction with the member for Durham Centre, we could also include some of my thoughts as the representative for Durham East, taking in that portion of the town of Whitby. And what does the town of Whitby say out in the Durhams?

**Mr. Cousens:** What do they say?

**Mr. Cureatz:** I am glad the honourable member asked me for it. Do members know what they say? I say to all the people at home watching and making dinner, the people out in Whitby say no to Bill 113. They do not want this legislation. I have a feeling the moms and dads who are flicking the television channels and who have just stumbled across me for a few moments and who have had a hard day at work trying to make a living, paying the mortgage, getting the kids off to school or baseball practice or soccer practice—



**Mr. Cousens:** Looking forward to Sunday off.

**Mr. Cureatz:** Yes. They are looking at television and saying: "Gee, who is that guy talking? He doesn't want us to be working on Sunday. Why do all those Liberal back-benchers want us to be out working on Sunday?"

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That is what they are saying and they are going to be thinking on the next go-around, 1991—do not worry, the Premier will not even tell members opposite about the election either. They are going to be on pins and needles and he is not going to call in the caucus. No, here is what he is going to do. I can picture it. It is the same thing he did on Bill 113 and Sunday shopping.

He is going to call in the caucus and say, "Now, members of caucus," in his humble, little way, with his head down, "Now, what are the people out there thinking?" That is what his line is. I can just picture him at that table at the caucus. "Tell me, what are the people of Ontario thinking?" Of course, Steve Baloney will stand up, and he will have something smart to say and someone else will have something really sarcastic to say.

But do members know what? He will already know what the people of Ontario are thinking. He will have done a poll. Hershell Ezrin will evaluate the poll, and they will make the decision. He is just stringing those people right along, hook, line and sinker, just like he has done with Sunday shopping. He is not going to tell them about the election, just like he has not told them about Bill 113 and they have swallowed it.

I give them all credit, some of them who have been standing in their places and trying to hold the party line, even though their heart of hearts is not in it.

What did I hear some of the members say that the city of Oshawa had to say about Sunday shopping? Did I hear that call? Do the members know what it has to say?

**Mr. Cousens:** What do they have to say?

**Mr. Cureatz:** I am glad the member asked me. Here is what the city of Oshawa has to say: "Whereas the province of Ontario has tabled legislation to allow the regional municipality to allow or reject the extension of Sunday retail shopping in Durham"—do the members know what the region has said? Is everyone listening closely? I bet this sounds very similar to all the members' municipalities in the ridings that they represent. I say to the member for Durham-York, this sounds a bit familiar, since he was so proud

to say that he was a member of regional council out in Durham. "Be it resolved that the region of Durham does not support the extension of Sunday retail shopping in the region of Durham." They are saying no to those members, and I am trying to explain to them, as I make my way in progression across this great province, that there are people and elected politicians—

Interjections.

**The Deputy Speaker:** There are a lot of interjections, but if the member would address his remarks to the Speaker, he might solicit fewer interjections. May I remind him for the nth time, please?

**Mr. Cureatz:** I will very humbly bow to your request for at least a couple of minutes.

I say to the member for Durham Centre (Mr. Furlong) that he was very proud to talk about the municipal option, but the municipalities are saying no, N-O, just like all of the other hundreds of groups across Ontario. I am going to be going through some of them to show the kaleidoscope.

Really, the embarrassing point is that the government members all know it. They are getting the letters and the phone calls on Bill 113, and they have blinders on. The Premier has sucked them into this position. We on this side and in the New Democratic Party would be in terrible shape if the Premier stood up and said: "You know what? I've made a mistake. Forget the Sunday shopping business. We're going to go with the select committee," which I will bring to everyone's attention. If he said that, we would be in big trouble.

What would our position be? We would have to capitulate. We would have to say the Premier and the other Three Ponypeople of the Calamity finally did the right thing. I, for one, would say that. I would say: "By golly, I give credit to the Premier. He made a mistake. He admitted it. He is not going for this Sunday shopping." No such luck, even in the event of the huge, massive numbers of petitions that all of us have received.

How many members have stood up in the Liberal caucus and have read petitions about being opposed to Sunday shopping into the record? I know exactly what the members have done. They have a copy of the Hansard. They made sure they got a copy of the people who signed the petition with their addresses on it—well, if they have not, they should be doing this; I am giving them little tricks of the trade—and they will be sending a copy of Hansard back to all the people saying how they dutifully followed through, as their representatives, reading the petitions in regard to Sunday shopping,



pretending all the while to those people that they are against Sunday shopping by reading the petition. The fact is, they are following the party line and being told to pass the legislation, and they are not supportive of it. Not one of them yet has the guts to stand—

**An hon. member:** Larry says if this thing ever happens—

**Mr. Cureatz:** Well, did Larry say something against Sunday shopping?

**Mr. Villeneuve:** Yes.

**Mr. Cureatz:** If that is true, then maybe one of the members has finally stood up in his place. He will probably get elected back in his riding.

I gave that speech a long time ago, and I will give it again before this term ends. Not all of those members are going to make it back this time around.

**The Deputy Speaker:** Through the Speaker.

**Mr. Cureatz:** They all know that, and it is about time some of them had enough gumption to cut out a bit of cloth of their own so that they could be distinguished in their own communities that they are against this Sunday shopping legislation, but the Premier is hitting them down like bowling pins and they are falling for it. They should do something on their own, take some initiative so that it can be recognized in their own communities that they are against something.

How about the Citizens for Public Justice? A comment in terms of my first question. Later on in my remarks, tomorrow, I want to quote my response when the Solicitor General stood in her place way back at Christmas—I have the Hansard here; I will read it to her—and read a five-page statement about the proposed legislation on Sunday shopping. I stood up then in my capacity as a member responding to a minister's statement and said to her: "It's going to be chaos across the province. You don't know what you're doing. You're opening a Pandora's box."

Strangely enough, I have been getting some letters. From time to time, people listen to my comments, and they congratulated me on that stand way back when it was first introduced. Some of the members want to know what is taking place across Ontario. Do the members know what they have to say in the township of Casimir, Jennings and Appleby, a small community?

**Mr. Cousens:** What do they have to say?

**Mr. Cureatz:** Here is what they have to say. I am glad the member asked me.

"Please be advised that on April 11, 1988, the council for the corporation of the townships as

read, 'Be it resolved that council for the corporation of the townships voices its objections against the local option to wide-open Sunday shopping.'"

It just surprised me to no end when the member for Durham Centre stood up in his place and talked about being the elected representative for his particular riding and gave no recognition of the fact that there are politicians at the municipal level who have been duly elected in their positions and who have been telling the government time and time again that they are against Sunday shopping.

I have to say from my own humble riding of Durham East, which I have had the pleasure of representing for a good number of years—

**Mr. Cousens:** How many years?

**Mr. Cureatz:** Twelve. Thank you very much.

"Enclosed please find a petition from the Solina Women's Institute opposing Sunday shopping." I say to the member for Brampton South (Mr. Callahan) that I want him to come up and speak to the Solina Women's Institute about why he is in favour of Sunday shopping. You spoke to the Lions Club in the village of Newcastle, but I will tell you, you did not talk about Sunday shopping that day because if you had, they would have driven you out of town: a Liberal coming in and talking about Sunday shopping. You should be ashamed of yourself. Not only do you give the key for the Don Jail; you talk about Sunday shopping. I am embarrassed for you.

**The Deputy Speaker:** Again, through the Speaker, please.

**Mr. Cureatz:** Here is an interesting comment I want to bring to everyone's attention, from a humble constituent who took the time to write a letter. We all have had handwritten letters which we acknowledge sincerely.

"In all discussions regarding Sunday openings, I have never heard any mention of commission sales people. It is always taken for granted that those sales clerks working Sunday will be paid for time worked. This is not always so."

What about those people? I have not heard the Solicitor General stand in her place about those kinds of people. I want to say to the Solicitor General, as time is drawing close to an end, that we would like a little further discussion. Possibly she can explain in her two-minute response, as I am the critic for her portfolio and had the opportunity of serving as parliamentary assistant over on the magic 13th floor or whatever it is in her block over there. We will be interested to see

what she has to say about commission sales people.

How about the United Church of Canada? I had the opportunity of having lunch at the Albany Club this afternoon. Who was there? None other than the present archbishop, Archbishop Garnsworthy. The Conservative Party tangled with him in 1985, as I remember.

**Mr. Breaugh:** And did so well.

**Mr. Cureatz:** And did so well, as the member for Oshawa very kindly pointed out. I do not want to tangle with him, and I sure do not want to tangle with the United Church of Canada, but does the Liberal Party of Ontario want to tangle with the United Church of Canada?

**Mr. McGuinty:** Never.

**Mr. Cureatz:** Never. People at home, I heard one, little, quiet "never." That is right: never. Do the members know what they say? The official board of the Smithville United Church has asked me on its behalf "to express concern over the issue of Sunday shopping."

The evening guild of the Anglican Church Women, the Church of Ascension, in my community of Durham East, Port Perry—some of the members have got letters like this from their quiet little congregations, handwritten. Do they not bring tears to their eyes? Does it not reflect, in their heart of hearts, something about the manner in which the front four are ramming through this legislation?

**An hon. member:** No.

**Mr. Cureatz:** It does over here. One of the Liberal members says it does not. Well it does to me, and I will just conclude by saying, we hereby voice our strong objections to Sunday store openings for shopping, and to the decision of the Ontario Liberal government to place responsibility for—

On motion by Mr. Cureatz the debate was adjourned.

The House adjourned at 6:01 p.m.



**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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|---|--|
| Adams, Peter (Peterborough L)   | <b>Fontaine, Hon. René</b> , Minister of Northern Development (Cochrane North L)           |
| Allen, Richard (Hamilton West NDP)  | <b>Fulton, Hon. Ed</b> , Minister of Transportation (Scarborough East L)                   |
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| Breaugh, Michael J. (Oshawa NDP)  | Hart, Christine E. (York East L)   |
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| Ferraro, Rick E. (Guelph L)   | Miller, Gordon I. (Norfolk L)  |
| Fleet, David (High Park-Swansea L)  |  |

Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
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 ics and Minister of Financial Institutions  
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 dent of the Council and Minister of Inter-  
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 Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)  
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 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
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 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reycraft, Douglas R. (Middlesex L)  
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Roberts, Marietta L. D., Deputy Chairman of the  
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 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
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 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)  
 Swart, Mel (Welland-Thorold NDP)  
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 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
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 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in  
 each issue. Lists of the members of the executive  
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PUBLICATIONS

No. 80

# Hansard

## Official Report of Debates

### Legislative Assembly of Ontario

**First Session, 34th Parliament**  
Wednesday, June 15, 1988



Speaker: Honourable Hugh A. Edighoffer  
Clerk of the House: Claude L. DesRosiers

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Published by the Legislative Assembly of Ontario  
Editor of Debates: Peter Brannan



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# LEGISLATIVE ASSEMBLY OF ONTARIO

Wednesday, June 15, 1988

The House met at 1:30 p.m.

Prayers.

## MEMBERS' STATEMENTS

### WORLD JUNIOR TRACK AND FIELD CHAMPIONSHIPS

**Miss Martel:** Something very special is happening in Sudbury this summer. From July 26 to July 31, our city will be the proud host of the second world junior track and field championships. Hundreds of young athletes from 150 participating countries will descend on Sudbury to compete in this first-class sporting event. The skill and commitment of these young athletes, after months of intense training, will provide for competition of the highest calibre. The junior games promise to be a forum for great achievements and excellence in sportsmanship.

Without a doubt, Sudbury has risen to the occasion with determination and style. In recent months, many events have been staged to promote interest and excitement in the games. The corporate challenge, involving 45 teams representing local businesses, was a huge success. Ben Johnson was welcomed to the city in March to kick off an invitational indoor track and field meet. An international symposium on athletics will be held in Sudbury just prior to the beginning of the games. On July 22, the flame from the Olympic torch will be transferred from inside Science North to the nickel torch outside, to kick off the opening ceremonies of the World Juniors Festival.

Hundreds of volunteers have worked long and hard to prepare the city for this event. Hundreds more will join the ranks in the final days before the games begin. They and the organizing committee deserve every credit for their dedication. This is an event not to be missed and that is why we are inviting every member of the Legislature to come and celebrate with us this summer. We are proud to be hosting the world junior games and we expect them to be a success in every way.

### CONTROL OF SMOKING

**Mr. Sterling:** This morning, the standing committee on regulations and private bills

approved special legislation that would give two more municipalities, the town of Markham and the city of Etobicoke, the right to control smoking in the workplace. I will assume that the government will allow these bills to pass, as it did the precedent-setting Bill Pr25 respecting the city of Toronto.

Upon passage of these bills, three municipalities in Ontario will have the ability to control smoking in the workplace. This afternoon, I will be introducing a bill which will allow the remaining 800 municipalities to be afforded similar protection, should they desire it. This legislation is based on Bill Pr20, the Town of Markham Act, which was recently introduced by my colleague the member for Markham (Mr. Cousens). Not only will this bill allow for more municipal workplace-smoking bylaws to be implemented, but it will also make very clear that all municipalities have indeed the jurisdiction to control smoking in public places.

It costs approximately \$5,000 for each municipality to go through the special private bill process. Would it not make more sense to pass one bill for all municipalities and thereby save unnecessary expense? More important, this legislation will give all nonsmoking workers across Ontario the opportunity to enjoy the same rights and privileges as those working in Toronto and soon to be effective in Markham and Etobicoke.

### MORQUIO SYNDROME

**Mr. D. R. Cooke:** Mr. Speaker, I wanted to provide you with an update on Brent MacKay of Kitchener, the little fellow who went to Towson, Maryland, last week for lifesaving surgery on his spine. I am happy to report that Brent's operation was a resounding success and that he is expected to fly home today via air ambulance. In fact, the operation was so successful that Brent is returning home two days earlier than originally scheduled. Furthermore, I want to extend our best wishes to Brent on his 10th birthday, which is today, and wish him a happy birthday.

Brent was born with Morquio syndrome, one of a number of rare genetic bone disorders known collectively as mucopolysaccharide disease, or MPS. It is a rare, debilitating disease that affects



the young. His very life was threatened before last week's neck-fusion operation. Without this operation, his chances of reaching adulthood were very slim. Brent now is able to enjoy a normal life and is expected to live at least 25 years. His community, schoolmates at A. R. Kaufman School and the Victoria Hills Neighbourhood Association have all rallied around our young friend to provide him both financial and moral encouragement.

I want to wish Brent every chance of success in the future and express my hope that one day a cure will be found for this disease.

#### WORLD JUNIOR TRACK AND FIELD CHAMPIONSHIPS

**Mr. Laughren:** I would like to join my colleague the member for Sudbury East (Miss Martel) in extending an invitation to all MPPs and all of their constituents to come to Sudbury from July 26 to July 31 this summer. Sudbury is the location of the second world junior track and field championships. Those of us who represent the Sudbury area are proud of the effort our community has put into the preparation of these games. Sudbury has arranged a large assortment of social activities for the athletes, both at the athletes' village and in the community at large.

The stadium at Laurentian University has been expanded to seat 15,000 spectators. Ticket packages are available for the full week and for the weekend. Tourists who come to Sudbury will be pleasantly surprised with the large number of opportunities to enjoy themselves. Science North has become northern Ontario's number one tourist attraction and an entire day could be spent experiencing that facility alone.

There are, of course, boat tours on the largest city-contained lake in North America, Ramsey Lake, just one of the 30 lakes within Sudbury's city limits, and there are more than 90 lakes in the immediate area. For those who want to experience the night life, there is harness racing at Sudbury Downs and, of course, a large variety of interesting night spots in the city. For those who wish to continue on a more extended holiday in northern Ontario, there is the exquisitely beautiful Lake Temagami area with the Lady Evelyn-Smoothwater Provincial Park to the northeast. During the summer, all of northern Ontario becomes an ideal location for a camping holiday.

#### USE OF GILL NETS

**Mr. Pollock:** The Progressive Conservative Party believes that changes are necessary in the regulation and management of Great Lakes

fisheries to ensure that both commercial and sports fishing industries remain viable in Ontario. The Ontario government must not continue to ignore the social and economic benefits that both industries bring to this province. Furthermore, it has become readily apparent that the fishing industry on Lake Huron has not received the attention it deserves from the ministry.

We therefore advocate a stepped-up program which would see the commercial gill-net fishery on Lake Huron bought out and an acceleration of the Ministry of Natural Resources stocking program take place in the lake.

#### 1340

This policy is a continuation of the former government's buyout policy, which was in operation in the commercial fishery industries in Georgian Bay in the early 1980s. We remain deeply concerned about the fishing industry in Ontario and cannot help but feel that the time for action is now.

Similar programs to encourage the change from gill nets to trap nets have worked successfully in the United States and in Ontario. Such a program for Lake Huron would clearly enhance the tourist industry and the recreation opportunities in the area. It is time further initiatives were undertaken.

#### LAW SOCIETY OF UPPER CANADA

**Mr. Velshi:** I rise on this occasion to express my deep dissatisfaction with the decision of the Law Society of Upper Canada to consider extending to British Prime Minister Margaret Thatcher the title of Honorary Bencher. Surely, this outstanding law society can find more worthy recipients for this honour than a head of a government who just happens to be in Toronto for the upcoming economic summit.

Mrs. Thatcher has opposed our own Prime Minister in his attempts to encourage Commonwealth economic boycotts of South Africa at the last Commonwealth conference in Vancouver. I am appalled that the most important Commonwealth trading partner with the regime in South Africa is the one and only Commonwealth country that continues to oppose sanctions against this oppressive regime, thereby tacitly aiding and abetting its evil policy of apartheid.

I call upon the members of the Law Society of Upper Canada not to entertain such a motion until a more suitable candidate can be found.

#### TRAVEL ASSISTANCE FOR ATHLETES

**Mr. McLean:** My statement is for the Minister of Tourism and Recreation (Mr.



O'Neil) and concerns the confusion and financial hardship caused by reduction of the Wintario hosting and travel budget for the Ontario Equestrian Federation, with virtually no advance notice.

To learn that this budget has been cut by 50 per cent is devastating for the federation, especially now when all of that organization's programs are already under way. To host an event, the site must be prepared one year in advance, and to receive news that a budget has been reduced by 50 per cent at such a late date means the organizers, who use private funds for site preparation, will take a financial bath. To receive news of a 50 per cent cutback is distressing enough, but the minister could have at least given the federation one year's notice to allow the organization enough time to try to solicit alternative funding.

The Wintario travel assistance funding is used by grassroots young riders from such communities as Elliot Lake, Timmins, North Bay and Thunder Bay, and because of the minister's cutback they will not be able to travel to their championships. His ministry talks about the importance of developing the grassroots level of athletes in Ontario and then turns around and deprives them of that development. I have to wonder why these cuts were not announced at least one year in advance of their taking effect. I also have to wonder why the minister is cutting this Wintario hosting and travel budget.

**Mr. Speaker:** That completes the allotted time for members' statements. Statements by the ministry? None. Then I cannot ask for any responses.

Interjections.

**Mr. Speaker:** Order. Oral questions. The Leader of the Opposition.

[Applause]

**Mr. B. Rae:** As we approach a convention, that kind of applause is most welcome.

**Hon. R. F. Nixon:** That's about it.

**Mr. B. Rae:** That's about it. Nothing from the Treasurer.

**Hon. R. F. Nixon:** Ever heard one-hand clapping?

**Mr. B. Rae:** Against a cheek. It is called a slap in the face.

**Mr. Speaker:** A question would be in order.

### ORAL QUESTIONS

**Mr. B. Rae:** I have a question for the Minister of Housing (Ms. Hošek), who is not here. I have

been told that she is coming. In that case, I will ask my first question to the Minister of Natural Resources.

### FOREST MANAGEMENT

**Mr. B. Rae:** We have now the report of Professor Rosehart, who reported to the minister in September 1987, and we have the report dated June 1988, which I think is the longest time taken on record in the province to write a press release. It has taken this long for the government to respond by way of press release to the Rosehart report.

The Rosehart report could perhaps best be summarized by the opening words of a song I am sure the Minister of Natural Resources is well acquainted with, *The Teddy Bears' Picnic*, "If you go down in the woods today, you're sure of a big surprise."

The question I have for the minister is this: Despite the rather candy-coated press release which is put out by the government, Professor Rosehart, in fact, speaks in ways that are very critical, and I quote: "If the present course continues, we are pessimistic about any significant progress." Those are his words.

We have had Dr. Baskerville. We have now had Professor Rosehart. Can the minister tell us when the Ministry of Natural Resources is finally going to get down to the job of actually counting the trees and telling us what the situation is in this province with respect to our forestry resource?

**Hon. Mr. Kerrio:** As the honourable leader knows, the report has also said that, for the purposes that it was undertaken, it provides very valuable information as to the inventory across the province.

There have been those people, particularly in the official opposition, who have asked for something more significant as it relates to a complete inventory on the ground. While the member can appreciate that there has been a great deal of new initiative taken by bringing in Dr. Baskerville and the kind of people he has described in that report—Dr. Rosehart and those people who have a true interest in where we are going in forestry—I would like to assure the Leader of the Opposition that I am intent on doing what needs to be done to be certain that we have a continued supply of wood and forests for the people of Ontario for the many uses to which they are put.

To talk about taking actual inventories, I am examining doing that right now. I am not suggesting that we could do it on a province-wide basis to start with, but I am very anxious to look



at what might be done. For instance, the model management unit at Temagami might be a very good place to start. I am thinking of doing that very thing.

**Mr. B. Rae:** It is incredible to me that we would now have a minister who has, if I may say so, several reports before him, all of which have indicated that there is a problem, that there is a desperate need to have a completely accurate assessment of exactly what we have, what is left and what is growing.

Why would the minister not have embraced right away, in September, nearly 10 months ago, the recommendation of the Rosehart committee that the government first of all triple the budget—very specific numbers given, very specific tasks given—and establish the natural resources information service which would have the clear mandate within his ministry to tell us what is growing, where it is growing, how it can be harvested and how it can be used? This information is vital to the conservation of a resource which is the basis of our northern economy.

**Hon. Mr. Kerrio:** While I accept the Leader of the Opposition's assessment of the Rosehart report, I must put on the record that the Rosehart report also says that the committee found that Ontario's forest resources inventory is sufficiently accurate when used for the purposes for which it was set up.

In looking at the whole examination of that circumstance of the forest inventory across the province, it seems that there is credit given that is adequate for the purposes at that point. It is not to take away from the suggestion I have made to the leader that I am very much prepared to look at that model management unit that we are setting up. We will have the committee set up under Dr. Daniel in a short time, maybe to do a pilot project in that area to see where we go from there.

**Mr. Wildman:** Can the minister explain why it took 10 months for this report that was submitted on September 9, 1987, to be released, and can he confirm that Dr. Rosehart says that the forest resources inventory is adequate, as the minister has said, for the purposes it was intended, but is not adequate for on-the-ground forest management, because it can be out as much as 20 per cent?

If the minister is prepared to now initiate this kind of an approach, tripling the budget for a forest resources inventory in the Temagami area, why did he not release this 10 months ago and have the information so that we could have used it in trying to resolve the Temagami dispute?

1350

**Hon. Mr. Kerrio:** Going back to the comment that the member's leader made about initiatives that were taken for the first time by this new government in Ontario when we brought in Dr. Dean Baskerville from the University of New Brunswick to look at the whole problem that might exist in the forestry industry, it had never been done before. The member knows that the initiative was an important one and that many of the comments and directions that were given by Dr. Baskerville have been taken into account and already initiated.

By another committee, we are looking at the best use of our wood products. We are looking at many of the areas that were neglected before. I must tell the Leader of the Opposition and the critic that I am very much intent on going forward with the kind of direction we have been given by very able individuals.

**Mr. Wildman:** You're cutting the funds this year, not increasing them.

**Hon. Mr. Kerrio:** The fact of the matter is that I will not, and cannot, as the member knows, make a commitment about funds. What I have said is that we are prepared to look at something that he has been advocating and that I am accepting and doing it as a start in the Temagami area.

#### RENTAL HOUSING PROTECTION

**Mr. B. Rae:** I see the Minister of Housing is here. I would like to address a question to her. The minister may be aware of the questions that we have been raising in the House over a number of days about tenants who have been evicted in order to create empty buildings which are then either demolished or converted into condominiums. We have given examples over the last number of months, in fact: at 114 Vaughan Road, 20 Peppler Street in Waterloo, and 500 and 520 to 524 Kingston Road here in Toronto.

I would like to raise with the minister another example in the city which she and I both represent, the city of York. It is at 10 Tichester Road, where the minister perhaps has been made aware of the fact that the landlord some time ago appointed a member of the Vagabond motorcycle club as the superintendent of the building. It surpasses fiction, but this is like something out of *The Bonfire of the Vanities*.

The minister must be aware of what is going on, of buildings that are being made empty by subterfuges such as this, the kind of intimidation and fear which she must be aware of. Can she tell us why she is not talking to her House leader to



bring in an amendment right away to the Rental Housing Protection Act to make sure that just because buildings are vacant does not mean they can be converted into condominiums?

**Hon. Ms. Hošek:** I understand the concerns about vacant buildings under the Rental Housing Protection Act, and that is one of the reasons we are looking at that act and at protecting people more adequately. That is the reason we extended the act, to give us the time to do a comprehensive review to make sure that the act that replaces it to deal with rental housing protection matters answers some of the concerns that the member has raised.

**Mr. B. Rae:** Tenants are being intimidated and evicted from buildings, and this building is now empty as a result of the appointment of the member of the Vagabond motorcycle club, who told other tenants that the vacant units there would provide room for about 100 of his friends and would be a great place for parties.

This subterfuge, this incredible way of using the act in order to intimidate people—and as a result, miracle of miracles, the building is now empty, which I am sure is no surprise to anybody in those circumstances—is what is going on. It can happen all summer.

The Treasurer (Mr. R. F. Nixon) talked yesterday about a world-class city. This is happening in this world-class city. It is not because of world market conditions; it is because the laws are too weak. Why does the minister not change the law now so that, at the very minimum, people are not evicted out of fear and intimidation, forced out on to the street with nowhere to live, and buildings are not converted into condominiums? Why does she not at least change that part of the law?

**Hon. Ms. Hošek:** I understand the concerns raised and I understand that there are problems with the Rental Housing Protection Act. That is precisely the reason we have to look at all the details in it and the whole question of rental housing protection in a new way. That is the reason we are working on that right now. I will be taking very, very seriously all the concerns that have been raised. We will try to come up with the package that deals with all those concerns and protects rental housing in the most appropriate way we know how.

**Mr. B. Rae:** I think a government that leaves tenants out on the street and tells them it is going to look at a problem, when it has had two years to study the problem, is guilty of negligence that is almost criminal in terms of what it is doing to

people who are rendered homeless by what has happened. I really do think that.

The minister must realize that people are being made homeless by this kind of activity. People are making tons of money out of these buildings, converting them, going before the Ontario Municipal Board and asking for demolition orders because the buildings are vacant, not telling the OMB how it is the buildings became vacant.

What is stopping the minister from introducing this one, simple change? The city council at York has asked for the change. They specifically said, "Give us a change that allows us to refuse conversions to buildings that are vacant," because of the way in which these buildings are being made vacant. Why does the minister not bring in that change—

**Mr. Speaker:** Order. The question has been asked.

**Hon. Ms. Hošek:** My approach to this problem is that it has various components and we must look at all of them together. That is the reason we are working so expeditiously to get some answers on this issue and we will see them as soon as we possibly can.

#### DRUG ENFORCEMENT

**Mr. Brandt:** My question is to the Solicitor General and it relates to the decision made by the Metro executive committee yesterday to pursue what I am sure the minister has read about, a zero-tolerance policy with respect to drug pushers and users in Ontario and as it relates to Metro specifically.

I think she will also be aware of the fact that President Reagan's goal in the upcoming summit, among others, is to get as many countries as possible to join in the war against drugs, which of course is an international problem.

Since the drug problem is of concern to us in Ontario and certainly throughout the country as well, will the Solicitor General commit her government, and more particularly her ministry, to supporting the Metro initiative and in fact initiate on behalf of the province a zero-tolerance program throughout the province?

**Hon. Mrs. Smith:** The member for Sarnia raises a very important issue of drugs in our society. Of course, it is one that has been of importance to the police forces of this province for a long time, and indeed to the Royal Canadian Mounted Police also.

Drug problems have to be addressed on various different levels, the RCMP having the primary responsibility for keeping them outside



of the country, which also affects us here in the province. The Metro efforts will be done by Metro and will be suitable to the problems in Metro, in so far as it has full responsibility for setting its own priorities and its own programs as long it is meeting the legislative responsibility of providing policing.

I certainly commend them and we will co-operate in any way we can with them, but it is their program. I commend them for doing it. We will co-operate. On our own level, we will continue to examine closely anything new and creative we can be doing in drug programs by the Ontario Provincial Police.

**Mr. Brandt:** I find that response rather inappropriate in light of the extent of the problem that exists here in this province, not only in Metro Toronto but in other parts of the province as well. I would suggest to the minister that any additional funds that might be spent on new officers or expanding programs with respect to this drug problem could well be made up in savings in medical costs and savings in some social costs as well.

I would like to point out to the minister that on September 10 an article appeared in the Kingston Whig-Standard which stated that in eastern Ontario alone the usage of cocaine had increased in the last three years by some 900 per cent. That is really quite a startling figure when we look at the number of people who will be exposed to those particular harmful drugs.

Rather than the passive response that the minister—

**Mr. Speaker:** Please put your question?

**Mr. Brandt:** —has provided the House today, and I am sure members on all sides of the House fully recognize that the local police forces, as well as the RCMP—

**Mr. Speaker:** Does the member have a supplementary?

**1400**

**Mr. Brandt:** I am getting to my question, Mr. Speaker.

Would it not seem reasonable and realistic for the OPP, through the minister's good offices, to expand its programs, to take the initiatives that are necessary and, to the extent possible, bring a halt to this tremendously critical problem?

**Hon. Mrs. Smith:** As I have said, the OPP is already spending \$2 million directly in drug prevention programs. They stress very strongly that no matter how much money they spend on that level, the most important tool that has to be used for fighting drugs in this province, as

anywhere else, is the education of young people and influencing them away from drugs.

I see that the emphasis presently being placed among the police forces in this province, which I am encouraging, is one of involving themselves with the community and community policing. This includes involving police in the schools and the schools with police programs in order to educate young people and to prevent the use of drugs.

As for any programs to prevent drugs from coming in, I am sure the federal government is putting a great deal of emphasis on this at this point, and we will continue to emphasize drugs as a priority with the OPP. I would add as well that I believe drugs are probably even more of a problem—

**Mr. Speaker:** Thank you very much. There may be further information. I am sure there will be a supplementary.

**Mr. Brandt:** I have to point out to the minister that cities are also part of the province. They need the co-operation of her ministry.

The minister is well aware that drug arrests by the OPP have increased dramatically over the past couple of years as a direct result of more attention being paid to the problem. She is also aware that there has been no expansion of that particular budget. I would suggest to her that the province has got to play a leading role in this particular problem. She has to take on more of the responsibility. I would urge the minister to look carefully at her programs and to direct more of her resources towards stopping what is becoming an absolutely overwhelming problem for local police forces to cope with.

I ask the minister again, is she prepared to work co-operatively by expanding her budget to assist both the RCMP and local police forces in coming to grips with a problem that is perhaps society's most serious and critical problem of this day and age?

**Hon. Mrs. Smith:** As I said yesterday, we do not fund direct programs in municipal policing, and I am quite sure the municipalities do not wish us to get into setting their priorities for them. I am sure they will set them as they see fit, as indeed Metro is now doing. In the ways that we can co-operate with them, we will, but it is not my intention to interfere with them.

On the other hand, I am meeting with and speaking to the chiefs of police of municipalities next week, and I will pose to them the question the member has posed to me, whether there is anything that they sense we should be doing to

assist them that we are not doing. I will be glad to put that to them.

As far as the RCMP is concerned, I suggest the member talk to the people in Ottawa. We do not fund the RCMP.

#### MINISTRY'S INTERNATIONAL OFFICES

**Mr. Brandt:** My question is to the Minister of Industry, Trade and Technology, who I am sure would want to respond to a question on this bright, sunny afternoon.

It relates to a comment made by the soon-to-be-former deputy minister in the minister's department, who was quoted in the Financial Post as saying with respect to Ministry of Industry, Trade and Technology foreign offices, "They're no longer dumping grounds for unwanted bureaucrats."

In light of that quote, does the minister agree with his deputy minister, someone whom we both know and admire well? Does he agree with that quote and does he in fact hold to the view that MITT offices, prior to his arrival, were a dumping ground for some of these unwanted bureaucrats?

**Hon. Mr. Kwinter:** I welcome the question from the leader of the third party. I just want to inform him of my personal policy: I do not comment on remarks about previous administrations, previous deputies and things of that kind.

**Mr. Brandt:** That is certainly a gentlemanly attitude to take that is not shared by some of his colleagues in cabinet—namely, the Minister of Natural Resources (Mr. Kerrio), who sits right behind him and comments frequently on former happenings within his own ministry.

My staff did some research on this question, trying to determine who these unwanted bureaucrats might happen to be, and it is interesting to note that of the 14 offices in operation in the fall of 1986, six of the senior representatives are still in the same offices. Of the remaining senior representatives, only three have left government employ, including Adrienne Clarkson, while the rest are still working for MITT.

If these people the minister's deputy was speaking of were unwanted, rather over-the-hill bureaucrats of some kind or another, why would his deputy even deem to make these kinds of comments, knowing full well that most of those people are still on his staff?

**Hon. Mr. Kwinter:** I should tell the leader of the third party that in the relatively short time I have been in the ministry and with the relatively limited exposure I have had to our representatives in various parts of the world, in every single

case the people I have met have been very professional, very competent, and I am delighted to be associated with them.

**Mr. Brandt:** Now the truth unfolds, finally. In light of the discussion we are having about some of the minister's senior civil servants, I would like to suggest to him that we in this party have some serious concerns about his track record with respect to trade. At the moment, he has no assistant deputy minister of trade and he has not had for almost two years. There has been no agent general in Paris for almost a year and he has closed two offices in the United States.

Could the minister tell us when the new assistant deputy minister of trade will be appointed, as he has indicated that is one of the key priorities of his government, and precisely how much has MITT spent in advertising and consulting fees searching for candidates for that position?

**Hon. Mr. Kwinter:** I am pleased to inform the leader of the third party that although I do not have the exact figure of the cost, the advertising and interview process has been completed, the prospective candidates have all been interviewed, and that decision will be forthcoming very shortly.

With regard to the other situations he referred to, I can assure him again that the position in Paris, the agent general, will again be filled shortly. It is a matter of making sure we get the right person of the right calibre and the right qualifications and we want to do it in a careful way so that the interests of Ontario can be well served.

#### TRADE WITH UNITED STATES

**Mr. Wildman:** I have a question of the Minister of Industry, Trade and Technology in regard to the studies and draft studies which have been prepared by the government about the impact on Ontario of the proposed Mulroney-Reagan trade deal.

Can the minister explain, if he is really interested in enabling Ontarians to make wise judgements on the impacts of these policies, why the government has not released the following studies: Investment in Canada-US Free Trade: A Recommended Approach for Ontario, dated August 1987; Services Trade in the Canada-US Trade Negotiations, September 1987; as well as the Structural Adjustment and Bilateral Free Trade study of the previous year; and Government Procurement in Canada-US Free Trade Negotiations, three drafts of which were prepared last year.



1410

**Hon. Mr. Kwinter:** I am sure the member will know that all of these submissions which were prepared were done at various stages of the free trade negotiations. We have been releasing those reports as they have been completed, as they have been revised to actually reflect the reality of what the final terms of the agreement are. If there are any others to be released, they will be released in due course.

**Mr. Wildman:** Perhaps the minister could explain the criteria for determining if they are to be released. While doing that, could he explain why the studies on the effects of investment in Ontario-Canada-US Investment Negotiation, September 1987; two studies on Changing Investment in Canada in a Canada-US Trade Agreement, September 1987; and Negotiating National Treatment and Investment in a Canada-US Trade Agreement, October 1987—have not been released?

**Hon. Mr. Kwinter:** I repeat, those studies were done and are in draft form. When they are completed and reflect all of the agreements which have been finalized, the decision will be made as to when they are to be released.

#### CAMBRIDGE MEMORIAL HOSPITAL

**Mr. Eves:** I have a question of the Deputy Premier. There is a great deal of public concern over the unfair treatment that Cambridge Memorial Hospital and its administrator, Don Robertson, have received from the Ministry of Health.

The Deputy Premier said yesterday that the decision as to whom the hospital board employ is entirely theirs. Will he now tell this House that the board of Cambridge Memorial Hospital has the authority to make the ultimate decision regarding the future of the hospital and its administrator without fear of any type of retaliation, monetary or otherwise, from the Ministry of Health?

**Hon. R. F. Nixon:** Yes.

**Mr. Eves:** Our information is that the Deputy Minister of Health indicated to at least one if not several members of the board of Cambridge Memorial Hospital that the Ministry of Health would not assist with any additional funding with respect to Cambridge Memorial's deficit unless Mr. Robertson was removed from his position as administrator one way or another.

Does the minister approve or condone such action by the Deputy Minister of Health? If he does, he should say so. If he does not, will he undertake to set the record straight not only with

respect to Cambridge Memorial but with respect to the other 221 hospitals in this province? Will that information be communicated through the Deputy Minister of Health to Cambridge Memorial Hospital this afternoon?

**Hon. R. F. Nixon:** No. I want to say further that the honourable member is aware that the funding of hospitals has been substantially enlarged this year. He knows that we have a substantial increase in our tax base and a large degree of economic growth. Fully 40 per cent of those additional dollars have been allocated to the medicare program, and particularly the hospitals.

Under those circumstances, I have asked the Minister of Health (Mrs. Caplan) to use her planning authority to see that the hospitals, as far as is possible, live in a budget situation where they meet their commitments for budget balance. We think that is essential. As far as that goes, this is the requirement.

The Minister of Health has said repeatedly, and the member has pointed out that it has been said to the House on many occasions, that we expect the hospital program to be organized on a basis of central planning and the kind of fairness and equity that will provide good service to all parts of the province. As far as that is concerned, that is the basis of our funding, and nothing else. Any employment that takes place at the local level is completely the responsibility of the local board.

#### SALE OF CIGARETTES TO MINORS

**Mr. Mahoney:** My question is to the Attorney General. The mindset about smoking in Canada has changed dramatically over the last many years for many different reasons.

There has been some concern expressed by various store employees in my riding over minors purchasing cigarettes. With all the various campaigns stressing the harm that is done by smoking, as well as the various bylaws in place to make our environment smoke-free, these employees feel there should be some bylaw or legislation in place to prevent minors from purchasing cigarettes.

Could the Attorney General explain the legislation in place to prevent stores from selling cigarettes to minors? What steps would he advise the employees to take in following the direction outlined in that legislation?

**Hon. Mr. Scott:** I would like to thank the honourable member for his question.

I was looking up the name of the act. There is an act in Ontario called the Minors' Protection



Act which forbids the sale or giving of cigarettes, cigars, tobacco or any form thereof to persons under 18 unless that person is purchasing tobacco for a parent or guardian with a written order or request. The honourable member will know, therefore, that if a purchase is made or if a sale is made in contravention of that act, the vendor or the purchaser is liable to be prosecuted.

**Mr. Mahoney:** By way of supplementary, could the Attorney General advise on how we might send a message to the community that it is not legal for a minor to buy cigarettes and, indeed, as a result of that, it is not legal for people to sell to minors?

This may upset the members of the opposition, but it is a matter of some concern to my constituents.

Interjections.

**Mr. Speaker:** Order. If you want to waste your time, we will just wait once more.

**Hon. Mr. Scott:** I congratulate the honourable member for his supplementary. It seems to have created enormous excitement in the tobacco lobby in the third party; but all the joshing they produce aside, I am sure the member represents, as I think all of us do, a very real concern, that is shared even by mature and habitual smokers, that young people particularly should not be encouraged to adopt this filthy habit.

The question of how the message can effectively be brought to vendors of cigarettes is always a difficult one, but I draw some confidence from the fact that recent litigation and certainly recent publications have gone to great pains to emphasize to young people the very real physical dangers of smoking. I presume also that vendors are aware of the provisions of the law, are aware of the risk of prosecution, remote from day to day though it may actually be, and as an act of good citizenship, if nothing else, would at this stage see to it that this entirely salutary law is enforced in their precincts.

#### PROPERTY ASSESSMENT

**Mr. Philip:** I have a question for the Minister of Municipal Affairs. The minister will be aware that he has received a great amount of correspondence from certain condominiums, such as Islington 2000, concerning the problem of appealing their assessment; that the 21 days is completely inadequate in this modern age for condominiums to take advantage of the appeal process. I am wondering if the minister has considered the views expressed in those letters and if he is willing to change the 21 days to a time more reasonable.

**Hon. Mr. Eakins:** We are looking at this particular area of the 21 days to 28, and we will have something to report on that very soon.

**Mr. Philip:** Did I hear the minister say he was thinking of changing it from 21 to 28, or did I mistake what the minister was saying?

Does the minister not agree that the 21 days was put in at a time when there were local courts of assessment, when condominiums did not exist? Will he not agree, in the case of condominium owners who must hold board meetings and often consult with whoever is representing them, then make an assessment as to whether they will take a chance on investing in an appeal, that it is completely unreasonable and that in fact he is denying them any appeal process by limiting it to the 21 days?

**Hon. Mr. Eakins:** The condominium owners have been consulted on this. We are still considering this. We are looking at it, and I hope we will have something to report very soon.

#### ONTARIO FAMILY FARM INTEREST RATE REDUCTION PROGRAM

**Mr. Villeneuve:** I have a question for the Minister of Agriculture and Food. The minister knows that Ontario's farm economy is still in difficulty. Given the state of the rural economy, can the minister tell us why he has reduced Ontario family farm interest rate reduction benefits by 60 per cent without even warning farmers or farming organizations that he would do so?

**Hon. Mr. Riddell:** This must be about the third or fourth time I have responded to the same question from the same member. The farmers were given ample notification about the OFFIRR program. It is a scheduled program—

**Mr. Wildman:** That's not right.

**Hon. Mr. Riddell:** Yes, it is right. The press release that went out—and I happen to have the press release here someplace—specified that this was a three-year program, a scheduled program, 100 per cent coverage the first year, 70 per cent the second year and 40 per cent the third.

**Mr. Wildman:** But then you changed it to 100 per cent the second year.

**Hon. Mr. Riddell:** Then I changed it the second year. Why? Because the federal Minister of Agriculture has not addressed the Farm Credit Corp. problem. Waiting for the federal minister to change the role of the Farm Credit Corp., I extended it to 100 per cent; but the farmers knew it was a scheduled program due to be phased out



in three years and that the last year was 40 per cent coverage. It is no surprise to the farmers.

1420

**Mr. Villeneuve:** In spite of what the minister has just said, I am going to quote from a letter that was sent with the OFFIRR cheques last year. This was prior to September 10. This paragraph reads as follows: "By extending the program and providing enhanced benefits, it is my sincere hope that more farmers will be eligible for greater interest rebate assistance in the upcoming years."

Does that sound like a 60 per cent reduction? With what is the minister going to replace that reduction? What is the ministry's program?

Interjections.

**Mr. Speaker:** Order. Just so the Minister of Agriculture and Food does not have to—

Interjections.

**Mr. Speaker:** New question.

**Mr. Breagh:** You're not going to let him off.

**Mr. Speaker:** No; the member does not want a response, so new question.

#### SOCIAL ASSISTANCE

**Mr. Daigeler:** My question is to the Minister of Community and Social Services. Some time ago I was contacted by the Ottawa and District Association for the Mentally Retarded regarding the Audrey Henson case. Miss Henson is a 62-year-old lady living in a group home operated by the Guelph Association for the Mentally Retarded. Apparently, a Divisional Court ruled that some \$82,000 held in trust for her under her father's will is not a liquid asset. Therefore, she should be entitled to payments under the Family Benefits Act.

I understand that the ministry is appealing this decision, which could affect thousands of estate plans for handicapped people in this province. May I ask the minister whether he can inform this House of the status of this lawsuit and what the reasons are for the ministry's position?

**Hon. Mr. Sweeney:** The difficulty that we have in our ministry is that our family benefits legislation, like our general welfare legislation, is based on needs. In other words, if resources available to a person are less than what he requires to meet his ongoing needs, they are supplemented by those two pieces of legislation. If a person already has resources, then he cannot qualify for assistance under the two pieces of legislation.

Miss Henson is the beneficiary of an \$82,000 trust fund, and it was the decision of the ministry that she had that as a resource. The difficulty that

we, as a ministry, have to face in Ontario is that we have an agreement with the federal government that when assets exceed \$3,300, one cannot qualify for a benefit. We believe that the very basis of our legislation is in question here and, therefore, we have a responsibility to appeal to a higher court to be sure that the decision is the best one under the conditions that are present at the current time.

**Mr. Daigeler:** I thank the minister for this information on the Henson case itself. He is raising the whole question of the liquid assets and the amount that is available to individuals without being disqualified from the benefits under the Family Benefits Act.

May I ask the minister whether he or the federal government is taking a look at the limits, which are presently stated at \$3,000, and whether he is reviewing that amount in light of inflation and the general increase in cost of living?

**Hon. Mr. Sweeney:** I met with a group of parents of adult developmentally handicapped people. They asked me a similar question. I indicated two things to them. First, I would ask the Social Assistance Review Committee if it would take this question under consideration and include it in its report. My understanding is that it is doing that.

Second, we have approached Ottawa to ask if it would agree to raise the ceiling. Ontario is now at the maximum of that ceiling. If the federal ceiling is raised, we will accept that new maximum. We are also awaiting the results of the review committee's recommendations to take that into consideration as well.

#### ENSEIGNEMENT EN LANGUE FRANÇAISE

##### FRENCH-LANGUAGE EDUCATION

**M. R. F. Johnston:** J'ai une question pour la ministre des Collèges et Universités. Le gouvernement semble être d'accord avec l'idée que la gestion française de l'éducation primaire et secondaire est essentielle pour éviter l'assimilation des Franco-Ontariens et pour améliorer l'éducation des jeunes Franco-Ontariens. Il y a, au Québec, trois universités de langue anglaise et plusieurs collèges d'enseignement général et professionnel de langue anglaise. La ministre est-elle en faveur de la création d'une université de langue française dans notre province?

**Hon. Mrs. McLeod:** I can tell that the honourable member was sufficiently impressed by the fact that I was able at least to listen to questions in French in our debate last night in

Sudbury to have provided a question for me in French today, but I will respond in English.

He raises a question which was raised again yesterday, and I would answer to the House as I answered last night. The current policy of our government is to proceed to the implementation of Bill 8 through the extension of French-language programming in our colleges and universities. We have task forces in both the colleges and the universities that are proceeding with recommendations both on French-language courses and on the designation of specific institutions. That is our plan at the present time and that is the plan we are proceeding with.

**M. R. F. Johnston:** Un congrès du Parti libéral à Ottawa a adopté récemment une résolution en faveur de la création d'un collège de gestion française. La Fédération des élèves du secondaire franco-ontarien, l'Association canadienne-française de l'Ontario et le Conseil de l'éducation franco-ontarienne sont tout à fait d'accord. La ministre est-elle en faveur de la création d'un collège de gestion française dans l'Est de l'Ontario, oui ou non? Et quelle démarche peut-elle faire aujourd'hui pour relever ce défi?

**Hon. Mrs. McLeod:** The concern that the honourable member raises, specifically in relation to French-language colleges, is one which I have certainly heard and have been listening to from the time that I came into the ministry. It is one which would represent a change in direction from the current policy, which I just enunciated in my response to his first question. It is one to which, in fact, we are giving some serious thought as to whether or not it does warrant a change in direction. At all times we are open to hearing the expression of concerns of our constituent communities, and the francophone community in Ontario has made that concern quite clear.

### SEXUAL ASSAULT

**Mr. Jackson:** I have a question to the minister responsible for women's issues. Yesterday his interministerial task force on sexual assault held its first meeting, and today I brought with me into the House a series of recommendations from the Stopping Rape II forum, which was held earlier this year.

Eleven of the recommendations in that report deal with ways in which municipal planning and zoning can take into account safety features in the fight against sexual assault. Four of the recommendations deal with ways in which our public

transit systems can be safer for women and children in Ontario.

Will the minister agree to expand the scope of his interministerial committee to include representation from the Ministry of Municipal Affairs and the Ministry of Transportation so that these two ministries can also participate in the solutions and the proactive plans to combat sexual assault?

**Hon. Mr. Sorbara:** That is an important question, and I know that we are debating important matters here in question period. I thought I might just take the opportunity while I have the floor to advise my colleagues in the House that, as we debate these matters, at Exhibition Stadium the Blue Jays are trouncing the Cleveland Indians nine to one and Stieb is pitching a one-hitter. There are 40,000 people watching that game.

1430

Interjection.

**Hon. Mr. Sorbara:** To me, it is very good news.

I was at the conference my friend refers to, the second conference held at city hall, and frankly I am surprised my friend the member for Burlington South was not there, because he purports to have a very keen interest in this issue.

What he is suggesting is that we incorporate two other ministries into this interministerial initiative. I will take those recommendations, look at them seriously and examine what he has to say about perhaps including them. I understand why those recommendations were made and I am certainly willing to look at them.

**Mr. Jackson:** I am surprised and shocked that the minister is more interested in responding to a Blue Jays' game than he is in taking these matters seriously.

The fact of the matter is, if the minister—

**Hon. Mr. Wrye:** You couldn't get tickets. That's what you're upset about.

**Mr. Jackson:** No, the problem is that I was in Sudbury for a debate with the Minister of Colleges and Universities (Mrs. McLeod). I would have been there, but I have four critics' roles to worry about.

**Hon. Mr. Elston:** Overwork; too much work.

**Mr. Jackson:** Will the minister stop being flippant about the matter of sexual assault in this province?

During the debate in this House on my private member's resolution last week, which dealt with the issue of—



Interjections.

**Mr. Speaker:** Order. Sometimes, by editorial comment prior to questions, noises are created. I did not hear a supplementary. Do you have a supplementary?

**Mr. Jackson:** I am working on my supplementary, Mr. Speaker. Perhaps if I were talking about Blue Jays' games there would be more silence in the House.

**Mr. Speaker:** Thank you. You may ask your supplementary about the Blue Jays, if you wish.

**Mr. Jackson:** Last week, in this House we were debating a private resolution which had to do with this government's accepting input from the victims of sexual assault. The government chose to vote against that resolution. The minister's parliamentary assistant, during that debate, stated as follows, "An interministerial approach to an issue such as sexual assault will facilitate input from the public through consultation with the ministries represented on the committee."

Can the statement made by the minister's parliamentary assistant be understood as a commitment that the interministerial task force will avail itself of public input, specifically from victims of sexual assault in this province?

**Mr. Speaker:** Order. You have had two minutes to place your supplementary.

**Hon. Mr. Sorbara:** I am not sure what the member for Burlington South has against baseball. I simply wanted to share a little bit of good news, in anticipation of answering his question. I am not sure why he is so upset. I think it is great news.

But on to his supplementary—

Interjections.

**Mr. Speaker:** Order.

**An hon. member:** He struck out.

**Hon. Mr. Sorbara:** Someone suggested that the member for Burlington South struck out. The fact is that he is suggesting that last week's debate during private members' hour was, in some respect or other, the government response to his resolution.

He knew quite well, and in fact informed me before the debate, that he did not anticipate that the standing committee that he was proposing study the resolution would ever get to the topic. He just wanted the resolution passed.

I tell him that within this government, within the Ontario women's directorate, we are taking this issue very seriously, and it is the first time that has happened in the history of this province.

**Mr. Speaker:** New question. The member for Nickel Belt.

**Mr. Laughren:** Thank you, Mr. Speaker. I have a question for—

**Mr. Fleet:** On a point of order, Mr. Speaker: Rotation.

**Mr. Speaker:** I recognize the member for High Park-Swansea.

**Mr. Fleet:** Thank you. Perhaps, Mr. Speaker, I will wear a brighter tie next time.

#### TRAVEL INDUSTRY REGULATIONS

**Mr. Fleet:** My question is for the Minister of Consumer and Commercial Relations. Last December I questioned the minister about problems experienced by travellers and by the travel industry. Shortly after that, he took action with new regulations regarding information which travel retailers and wholesalers must provide to consumers.

There are concerns about this regulation among some of the small business people in the travel industry, both in my riding and elsewhere in the province. Specifically, section 31 of the regulations stipulates that every travel agent must advise each individual consumer, travelling either individually or with a group, of the relevant laws and customs of the country or countries to which they are travelling.

This is a very onerous requirement and the phrase "relevant law or customs" is somewhat vague. Could the minister indicate what, if anything, he intends to do about this difficulty.

**Hon. Mr. Wrye:** I thank the honourable member for his question. I had an opportunity late last week to have quite a substantial session with the Alliance of Canadian Travel Associations, ACTA, which represents the whole spectrum of the industry, perhaps including some of the honourable member's constituents. ACTA put forward in the discussions a very positive tone and made some very useful representations. The honourable member is correct in that the wording of section 31 of the regulations has, in the view of the travel industry, brought about some confusion as to the precision that is wanted.

I share their concerns about the potential vagueness, and the alliance made a number of very useful suggestions. I expect that in the not-too-distant future we will be working on and bringing forward some additional wording that will give the kind of precision we need without in any way taking away the important rights that the regulation is meant to bring to consumers in the province.



**Mr. Fleet:** I am delighted that the minister is taking these concerns seriously, but there is also a related problem for travel wholesalers. Each travel wholesaler must verify that accommodation is in the condition that it was represented to be in to the consumer before the consumer departs on a trip. This produces a problem for wholesalers because they may frequently be unable to control all of the representations that are made to the consumer and, as a result, it may create an unfair legal liability for wholesalers.

Is the minister considering this matter as well; and if so, what does he intend to do about it?

**Hon. Mr. Wrye:** Perhaps those discussing this matter with the honourable member are members of ACTA, because this is another area that ACTA raised with me last week. I can indicate to the honourable member that what we wanted to do in terms of bringing about consumer protection was prevent a situation where unsuspecting consumers went on trips and arrived at hotels which were either under construction or under major renovation. I underline the word "major."

Again, ACTA has, on the part of its wholesalers—and it represents small wholesalers—raised a concern that those wholesalers may be unduly burdened by the regulation. I believe that we can work on some wording, and ACTA shared its view with me, which will again protect the important new rights being given to consumers in the regulation without in any way placing an undue burden, particularly upon small wholesalers. I expect to have some changes to come forward within the not-too-distant future.

#### RENTAL HOUSING PROTECTION

**Ms. Bryden:** I have a question for the Minister of Housing. It appears that Beaches-Woodbine is about to lose 102 units of affordable housing at 500-504 Kingston Road due to the inadequacies of the Rental Housing Protection Act. I drew the situation to her attention in a letter dated March 15, 1988, and asked her to investigate the unethical and possibly illegal methods used by the owner and his agents in seeking to obtain vacant possession of the properties in order to convert them into a rest home not subject to any rent controls.

The minister may be aware that the city of Toronto's committee of adjustment has now approved the rest home plan but has added a proviso that "this approval does not constitute an approval under the Rental Housing Protection Act."

Did the minister in fact investigate the situation last March—when she might have been able to put a stop to the tenant harassment which has routed out the tenants—and will she now instruct her enforcement officers to indicate to the city of Toronto whether these—

**Mr. Speaker:** The first question has been put carefully.

**Hon. Ms. Hošek:** I did instruct my officials to follow up on that case, but I must say that I do not have the exact details of what happened after that. Let me get back to the member with more details about that building.

1440

**Ms. Bryden:** I would like the minister's officials to rule whether this building is subject to the Rental Housing Protection Act, in which case city of Toronto approval will be needed for any conversion. This is only one of many attempts by developer-owners to use loopholes in the Rental Housing Protection Act to convert affordable housing to nonregulated housing in order to recoup their speculative investments in properties. This property has gone up by 114 per cent in eight months.

Will the minister put a stop to this kind of blockbusting and tenant intimidation by amending the Rental Housing Protection Act to protect all vacant buildings from conversion and hire extra staff to actually enforce the act?

**Hon. Ms. Hošek:** The Rental Housing Protection Act is meant to protect buildings against conversion out of rental housing stock. It is clear to me that the law is not by any means perfect. That is precisely the reason we are looking at changing it in all the ways that people have raised in this House and outside this House. We take those concerns very seriously. We believe a comprehensive new way of approaching this needs to be worked out. That is the reason we are doing it, and the process is under way now. All the concerns that the member has raised will be put into the discussion process so that we can come up with a better law.

#### MINISTRY ANNUAL REPORTS

**Mr. Harris:** I have a question for the Attorney General (Mr. Scott), but since he has left us early, it is equally appropriate to the Solicitor General. Between her and the Attorney General, they have the responsibility to uphold the laws of this province, to enforce them with impartiality. Between the two ministries, they represent the foundation of law and order in the province.



Under section 6 of the Ministry of the Solicitor General Act and under section 7 of the act governing the Attorney General's ministry, the ministers are required by law to submit an annual report after the close of each year. They are required by law to table that report if the House is in session, and if it is not to table it at the ensuing session. The last annual report from either the Ministry of the Solicitor General or the Ministry of the Attorney General was released in 1985-86, over two years ago. Can the minister tell us why she is ignoring her statutory obligations?

**Hon. Mrs. Smith:** I know that the annual report is in preparation, if not already prepared. I can only account for the present year. I do not know the details. I will be glad to find out for any previous time; I will be glad to get that information and let the member know, which I am sure is the real point of what the member wants. He would like to know when we are going to produce an annual report, and I will be glad to find out exactly when he can expect it and deliver it to him.

**Mr. Harris:** What I would really like to know is how the two ministries responsible for enforcing law and order in this province can carry on in violation of both their own acts. The minister knows the problems we have been having with getting order paper questions answered. They are ignored. The freedom-of-information requests have been ignored, in violation of the act. Some members who have been able to get information have been charged for it—money out of their own pockets.

We had the Thom commission report that took nine months to translate, but we are told Meech Lake can be done in five days so that we can facilitate the government business. Now, the two ministries responsible for law and order are in violation of their own statutes. I guess what I would like to know from the minister is when her policies are going to match the rhetoric of this free and open government.

**Hon. Mrs. Smith:** I can speak for myself in saying that the member gets the promptest answers to questions that I can imagine. They are hardly asked before I am signing official answers and submitting them to the table here.

As far as the annual report is concerned, I have already spoken to that. I will get the information for the member and make sure that a report is produced in an appropriate time frame, as it should be.

As for all the other comments, such as withholding of freedom-of-information requests, etc., if the member has any complaints against

my ministry, I would be glad to know of them so that I can find out about them, because I have received no such inquiries or complaints up to this time.

## PETITIONS

### RETAIL STORE HOURS

**Miss Martel:** I have a petition which is signed by 31 residents in the riding of Sudbury East. They are petitioning the government against Sunday shopping, which they believe should remain in provincial jurisdiction. I have signed my name to it, and I agree with them.

**Mr. Black:** I have a petition signed by 88 members of Trinity United Church in Huntsville which reads as follows:

"To the Lieutenant Governor and the members of the Legislative Assembly:

"We are opposed to wide-open Sunday shopping."

I am pleased to add my name to this.

### TEACHERS' SUPERANNUATION FUND

**Mr. Breagh:** I have a petition to the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to 31 May, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"This proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

That is signed by 400 residents of the Durham region.

**Mrs. Stoner:** I, too, have a petition signed by 400 individuals.

"To the Honourable the Lieutenant Governor and the Legislative Assembly of Ontario:

"We, the undersigned, beg leave to petition the parliament of Ontario as follows:

"To amend the Teachers' Superannuation Act, 1983, in order that all teachers who retired prior to 31 May, 1982, have their pensions recalculated on the best five years rather than at the present seven or 10 years.

"The proposed amendment would make the five-year criteria applicable to all retired teachers and would eliminate the present inequitable treatment."

I am signing that as well.

## REPORTS BY COMMITTEES

### STANDING COMMITTEE ON REGULATIONS AND PRIVATE BILLS

Mr. Fleet from the standing committee on regulations and private bills presented the following report and moved its adoption:

Your committee begs to report the following bills without amendment:

Bill Pr20, An Act respecting the Town of Markham;

Bill Pr52, An Act respecting the City of Etobicoke.

Your committee begs to report the following bill as amended:

Bill Pr16, An Act respecting the City of Toronto.

Motion agreed to.

### STANDING COMMITTEE ON SOCIAL DEVELOPMENT

Mr. McClelland from the standing committee on social development presented the following report and moved its adoption:

Your committee begs to report the following bill without amendment:

Bill 100, An Act to amend the Education Act.

Motion agreed to.

Bill ordered for committee of the whole House.

## MOTIONS

### PRIVATE MEMBERS' PUBLIC BUSINESS

Hon. Mr. Conway moved that the member for Prescott and Russell (Mr. Poirier) and the member for Oxford (Mr. Tatham) exchange places in the order of precedence for private members' public business and that the requirement for notice be waived with respect to ballot items number 33 and number 34.

Motion agreed to.

### ESTIMATES AND SUPPLEMENTARY ESTIMATES

Hon. Mr. Conway moved that the estimates as they are presented to the House be referred to and considered in the committees as indicated in the allocation statement printed in the Orders and Notices paper today, and that the supplementary estimates, as they are tabled in the House, be referred to the same committees to which the main estimates have been referred for consideration within the times already allocated to the main estimates and that any order for concur-

rence in supplementary supply be included in the order for concurrence in supply for that ministry.

Motion agreed to.

1450

## INTRODUCTION OF BILLS

### MUNICIPAL SMOKING BY-LAW AUTHORIZATION ACT

Mr. Sterling moved first reading of Bill 157, An Act to authorize Municipalities to pass By-laws respecting Smoking in the Workplace and in Enclosed Public Places.

Motion agreed to.

**Mr. Speaker:** Does the member have a brief explanation?

**Mr. Sterling:** Yes, I do: This morning, one of the committees of this Legislature passed a bill similar to this one for two municipalities in Ontario, the city of Etobicoke and the town of Markham. It is my desire that all other municipalities in the province will not have to go through the same process, at a cost of approximately \$5,000 for each municipality. Why not make the same rights available to all nonsmokers across the province of Ontario? Why not give all municipalities the right to control smoking in the workplace?

**Mr. Speaker:** I believe the member is now debating. Do you wish to explain it? That is explained. It sounded to me as if the member were debating it.

### 329931 ONTARIO LIMITED ACT

Mr. Black moved first reading of Bill Pr72, An Act to revive 329931 Ontario Limited.

Motion agreed to.

### VDT OPERATORS' SAFETY ACT

Mr. R. F. Johnston moved first reading of Bill 158, An Act for the Protection of Video Display Terminal Operators.

Motion agreed to.

**Mr. R. F. Johnston:** Just a few words of explication, if I may, Mr. Speaker: This is a bill I introduced in 1981, setting up standards for the ergonomics of video display workers, guaranteeing them regular inspection of the machines and trying to eliminate all low-frequency emissions that might come from those machines. As a result of some studies that have been released recently, I thought it was only appropriate and timely that I reintroduce it today.



## ORDERS OF THE DAY

## INTERIM SUPPLY

## CRÉDITS PROVISOIRES

Hon. R. F. Nixon moved resolution 12:

That the Treasurer of Ontario be authorized to pay the salaries of the civil servants and other necessary payments pending the voting of supply for the period commencing July 1, 1988, and ending October 31, 1988, such payments to be charged to the proper appropriation following the voting of supply.

**Hon. R. F. Nixon:** Briefly, once again, this routine motion comes forward at regular intervals, and the amount of money that is expected to be spent during the period is \$11.3 billion. As usual, this divides out to about \$100 million a day.

**Mr. Speaker:** Are there any other members wishing to participate?

**Mr. Swart:** The first thing I would like to do is thank the House leaders, particularly the government House leader, for bringing forth this supply motion at this time so that I could make my final speech in this House on the general issues. I realize that it has pushed the government order of business back a bit and, therefore, it is a special kindness because I am going to get out of here on June 30 regardless of how long the rest of the members remain.

I hasten to add that I am availing myself of this opportunity not because I intend to leave some comments of import for posterity in this province or suggest major future directions for the assembly or for members of this House. All the members know me well enough to know that even if I was presumptuous enough to try to do that, I do not have the articulation or the wisdom to do so. It is always well to level when you start.

On a recent Mediterranean cruise, there was a notice that came over the loudspeaker that Dolly Parton had fallen, had injured herself and, if there was a doctor on board, would he please go to stateroom 403. There was a dentist on that cruise. He had a "Dr." in front of his name and he thought, "Ah, this is my chance to get close to Dolly Parton." So in he went and he was physically examining Miss Parton when another doctor came in, and he knew that the other doctor would know he was not a medical doctor. The first chance he got, he whispered to him: "Look, I have to tell you. I'm not really a medical doctor. I just wanted to get close to Dolly Parton and that's the reason I'm in here." The other doctor said:

"Well, let's keep quiet about this. I'm only a doctor of divinity."

So it is well not to pretend you are something that—

**Mr. Reville:** What did you say, Mel, when you went in?

**Mr. Swart:** I said, "Excuse me, I was here first."

**Mr. Speaker:** I am sure this deals with the government motion.

**Mr. Swart:** Instead of trying to leave anything for posterity or pretend that I can do something that I cannot, I want to express some fundamental beliefs that I hold and share some concerns and views with this House.

The first thing I would like to do, of course, is to pay tribute to my colleagues in this Legislature and the others who have served over the 13 years that I have been here.

It is the case, and should be, that we have differences of opinions rather frequently and we hold them strongly enough, I guess, that at times we become kind of angry with other persons' views. But in fact we are neither discharging our responsibilities conscientiously nor being honest with ourselves if we do not vigorously put forward our particular side of the issue.

It is also true, though, that we recognize individual human worth in opponents and can have great respect for them even though we strenuously disagree. I wanted to say that, not so much for the people of this House but perhaps for the people outside of this House, because just last week a man came up to me who had sat in the gallery here two or three days before and had witnessed some pretty heated comments. Then he told me that an hour or so later he was outside and he saw the two people on the opposite sides of this House who had been in these heated comments laughing and joking together. He said to me, "Boy, how phoney those people are."

I want to say to the people who have that impression, as I said to him, that their arguments were not phoney and the friendliness that they had between each other was not phoney. There has to be this kind of a relationship if democracy is going to function in this Legislature and other parliaments, or for that matter even in municipal councils.

I want to say here too, and again not so much to the members of this House as to the public, that the abilities and the industry, the character and the decency of members of this House compare favourably with the citizens of this province generally. I have come to know most of them over the years, and I stand by that. I guess after



saying that I will not be heckled during the rest of my speech.

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**Mr. D. S. Cooke:** Just playing to the members.

**Mr. Swart:** That is possible.

In spite of that generally high quality of members, the image of politicians is really not great. Someone once said that if Christopher Columbus was alive today, he would be a politician, because when he left Europe he did not know where he was going; when he got here he did not know where he was; when he got back he did not know where he had been; and he did it all on other people's money. Of course, the polls show that kind of image is held rather widely about politicians.

I am not sure whether it was Gallup, but one of the pollsters a couple or three years ago took a poll and asked the public to rate some 15 categories of professions. The politicians came in third from the bottom, I think it was, in that poll as far as respect of the public goes.

Maybe there is some truth to this public perception of politicians, because I do not think we, as politicians, always practise the best characteristics we may possess as individuals. We promise as parties. We promise one thing before an election, and then we do the opposite afterwards. That is another way of saying we shake hands before an election and shake the faith afterwards. Generally, governments do all the unpopular things in the first year or two of their term, and in the last year or two they give out all of the goodies and do not do things that are unpopular, even if they are desperately needed.

I like to think that the New Democratic Party, the party to which I belong, is a bit different. Certainly it is true that we have taken some stands which were very unpopular, whether it was in regard to the War Measures Act or when we took the side of the Canadian-Japanese citizens of this nation during the last war when their land and their properties were being expropriated. But I guess all political parties in government succumb to these failures to some extent. I must say that the government we have in Ontario today is not innocent in these matters.

It can be said, of course, with some validity that the electorate is to blame. After all, they do vote for the governments that do these things. If they want to stop it, they could just simply never re-elect a government that breaks its promises. But the public sometimes has a fairly short memory, and that is why governments and

politicians engage in some of the things that I have mentioned.

There is one area which is of some principle to me and of some personal interest as well. It is the issue of official bilingualism and French services for the francophone population of this province. Let me admit that substantial progress has been made by this government and, for that matter, by the previous Conservative government. In spite of some doubt of its popularity, that is the provision of French services, there has been real progress made. I give credit to both those governments for making that kind of progress. I personally think, however, as does my party, that it has not gone far enough or fast enough.

Au nom de mes concitoyens franco-ontariens, je fais de nouveau appel à ce gouvernement concernant leur statut en lui demandant de déclarer cette province officiellement bilingue. Cette reconnaissance leur revient à juste titre en raison du fait qu'ils en ont été les découvreurs, que plusieurs d'entre eux s'y sont établis comme défricheurs et qu'aujourd'hui, nos Franco-Ontariens jouent un rôle important dans tous les domaines d'activité de cette province.

De plus, nous voulons que l'Ontario, en se déclarant officiellement bilingue, devienne le plus bel exemple de la grande identité canadienne, pour ainsi contrecarrer l'influence culturelle grandissante de nos voisins du Sud et devenir un modèle à suivre pour les autres provinces. Ce n'est qu'alors que la véritable identité canadienne, stimulée par l'épanouissement de la francophonie ontarienne, deviendra une réalité, à partir des côtes de Terre-Neuve, en passant par les rives du Saint-Laurent, jusqu'aux Grands Lacs, pour parcourir les vastes plaines de l'Ouest et atteindre les côtes de la Colombie britannique, après avoir admiré les vallées verdoyantes et les cimes blanches et majestueuses des montagnes Rocheuses.

Un autre point que je désire mentionner est celui qui concerne nos personnes d'âge d'or, nos aînés. Tout en reconnaissant que plusieurs initiatives ont déjà été mises sur pied afin d'aider ce segment de notre population ontarienne, il est important de ne pas réduire, et encore plus de ne pas éliminer, l'aide financière du gouvernement à cet effet.

Il reste encore beaucoup à faire pour soulager la misère d'un trop grand nombre de personnes âgées qui, à cause du manque de ressources, n'ont pas les soins de santé nécessaires ou l'hébergement approprié. Il ne faudrait pas non plus soutirer l'aide gouvernementale à l'égard des projets déjà mis sur pied qui permettent à ces



personnes de se rencontrer, de se récréer et, souvent, d'être encore utiles dans leurs communautés respectives.

En passant, Monsieur le Président, ces dernières remarques ne sont pas motivées par un intérêt personnel à la veille de mon entrée dans le groupe d'âge d'or. Je tiens tout simplement à souligner que ce qui a été commencé pour ces personnes il y a quelques années, doit se continuer et doit être encouragé.

Finalement, je profite de cette occasion pour exprimer publiquement ma reconnaissance aux dynamiques groupes de francophones du comté de Welland-Thorold, qui non seulement m'ont appuyé et encouragé lors de mes campagnes électorales, et cela dans mes défaites comme dans mes victoires, mais en tout temps m'ont reçu et accepté chaleureusement et avec empressement dans toutes leurs activités culturelles, sociales, familiales et communautaires. Et Dieu sait comment les francophones de Welland-Thorold sont actifs et participent à la vie communautaire de leur ville et de leur province, en dépit du fait que j'ai souvent massacré cette pauvre langue française.

Je tiens à remercier de façon spéciale mon bon ami de longue date M. Roger Babin et mon professeur, M<sup>me</sup> Antonia Salmon, qui, avec une grande patience, ont tenté l'impossible en m'aidant avec mon français.

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Mes relations avec mes amis francophones, toujours fraternelles et amicales au cours des années, m'ont permis de connaître le dynamisme, la vitalité et la richesse de la culture et de la langue françaises. Aujourd'hui, je peux dire avec grande fierté que je suis un francophile convaincu et que je le serai toujours. C'est une amitié réciproque qui m'est très chère. C'est une amitié qui, au cours des années, m'a fortement réconforté et touché.

I wanted to make those few comments in French, not that I particularly wanted to grate on the ears of the francophone members of this House, although I am sure I did—

**Hon. Mr. Grandmaître:** Beautiful, beautiful.

**Mr. Swart:** —and not because I wanted to make things difficult for the translator—I am sure that is the most difficult time he has ever had in this House to date—but because I wanted to give personal, tangible recognition to the rights of bilingualism in this chamber and the obligation I suggest we have as members to try to comprehend and speak some French. I am not a very

good example of how to do it, but the principle is one to which I fully subscribe.

I want to recognize again the progress that has been made in francophone rights. Some measure of courage certainly has been shown in that area, but I am afraid that in most other areas of the administration of this province there has been no great show of courage at all.

If someone were to say to us that our purpose in government ought to be to make the lives of Ontario citizens better and happier, with priority to those who are suffering disadvantages, I think everyone in this House would agree. Nobody would disagree with that principle, yet the greatest social evil that we have in our society goes untouched by government because it might be unpopular. In fact, governments in this nation and in this province generally have contributed to the worsening of the situation. I am talking about the excessive consumption of alcoholic beverages, and I know that is a taboo subject for politicians.

It is great to talk about drinking and driving, but do not go further than that, even though that carnage from drinking and driving, as bad as it is, is only a minor part of the total damage that is done to our society. Do not ever say that the consumption must be dramatically reduced, that in fact we must deglamorize drinking, that it must pay its own way, that it must be recognized for what it is, "The world's most widely used and dangerous drug." Those are not my words. They come from a very recent publication of the Royal College of Psychiatrists in Britain, and they are also the words of the World Health Organization.

The evening before last, I attended with my wife—I thought she might be in the gallery, she is coming today, but some of my family are already there—the appreciation night for the volunteers at Women's Place in Welland. I listened to the director tell of the mental and physical condition of some of the women and children who come into Women's Place. If you have any heart at all, you are almost in tears after listening to what she said.

The wife of the mayor of Welland, Vivianne Hardy, one of the finest persons I know, who was a volunteer herself for many years, said, "There's great concern and government action against smoking—and it is bad—but the emphasis should be much more against drinking." Then she said, "Seventy-five per cent of the wife and child abuse we see is the result of drinking."

Other studies, of course, bear out that degree of problem with abuse and alcohol. I have here part of the February 1988 publication of the



Alcoholism and Drug Addiction Research Foundation. It says here that the literature on children of alcoholics suggests one of three families currently lives with alcohol abuse by a family member. Then it says that in up to 90 per cent of child abuse cases—sexual abuse as well as physical abuse—alcohol is a significant factor.

Some members will know, particularly my colleague from the Hamilton area, that a 1978 study by the Hamilton-Wentworth Regional Police revealed that 44 per cent of offenders in family violence situations were under the influence of alcohol. To put it in a broader perspective, a Gallup poll taken two years ago showed that 17 per cent of Canadian families have alcohol-related family problems. We are among the world's leaders in the use and abuse of alcohol.

The 1983 federal government publication *Perspectives on Health* states: "There were an estimated 635,000 alcoholics in 1978, or one adult drinker in 20; this has more than doubled since 1965. An estimated 1.4 million persons, or one adult drinker in 10, now suffer from an alcohol-related handicap."

This is what the United States National Council on Alcoholism said in 1979 about the impact of alcohol on crime and antisocial behaviour: It reported that in 1979, alcohol was a factor in 65 per cent of drownings, 77 per cent of falls, 65 per cent of murders, 40 per cent of assaults, 35 per cent of rapes, 30 per cent of suicides, 50 per cent of fights in the home and 22 per cent of home accidents.

To quote again from *Perspectives on Health*, just to put this whole thing in perspective: "A total of more than 18,000 deaths in 1978, or 10.9 per cent of all deaths in Canada in that year, have therefore been linked with alcohol consumption." This is now approaching the number of deaths related to smoking. I want to say here, as we all know, this is a factual study; it is not Bill Temple's statements, and God bless him for the work he did.

Reports indicate that alcohol problems are now invading the institutions of higher learning. Psychologists Stephen Wigmore and Riley Hinson of the University of Western Ontario reported in the summer of 1986 on the behaviour of 125 students—80 male and 45 female. Only three had not drunk in the previous month; and of the rest, 30 per cent said they skipped classes because of drinking, 40 per cent blamed drinking for lower school marks and 46 per cent drove after drinking.

The foregoing human problems related to excessive consumption of alcohol are undoubtedly the most serious. The financial costs are very real too. The myth that governments have a gold mine in liquor revenue should be dispelled. An Addiction Research Foundation study revealed that in Ontario, during 1981, alcohol was responsible for \$1.6 billion spent on health care, reduced employee productivity, accident damage, law enforcement and social welfare. By contrast, provincial tax revenue from alcohol sales amounted to only \$670 million. A similar study by the city of Vancouver reported that alcohol abuse costs British Columbia \$2 billion a year compared to revenue of \$400 million.

Let me bring this a little closer to home and up to date. The member for Niagara South (Mr. Haggerty) was at the opening of the Newport Centre for Treatment of Chemical Dependency in Port Colborne, along with myself, just three weeks ago. The guest speaker was the member for Kingston and The Islands (Mr. Keyes). Unfortunately, he is not in the House at the present time or he could confirm what I said. He said that 25 per cent of all hospital beds are occupied by persons with alcohol-related problems; one quarter of our \$5.5 billion for hospitals is being used for patients who are there because of alcohol-related problems.

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We have tremendous overcrowding of hospitals in our society. We have long waiting lists. Yet we have not heard one word in this House about this dimension of that problem. Not once has that even been mentioned in this House by the Minister of Health (Mrs. Caplan). What is our answer? As I have already said, it is silence or an increase in accessibility: proposed beer and wine in grocery stores or lengthening drinking hours; no mention of measures to prevent this massive and costly provincial and national illness, nothing whatsoever.

I tell a story on occasion about a professor who was lecturing his class on logic. He gave them a lecture of two hours and then he said, "I want to find out how well you understood my lecture on logic." So he said: "I am going to pose a question. The question is this: If Canada is bounded on the south by the United States, on the north by the Arctic, on the east by the Atlantic and on the west by the Pacific, how old am I?" The students looked at one another and scratched their heads. Finally, one student put up his hand and the professor said to him, "Tell the class how old I am." He said, "You are 44." The professor said: "That is right. Now tell the class how you



arrived at that logic." He said: "It is this way: I have a brother at home who is 22 and he is only half nuts."

On this issue of the damage that is being done to our society with regard to excessive consumption of alcohol, I think we are a bit more than half nuts in not doing a single thing about it. Improvements are possible. A major reduction in the consumption of alcohol and related problems can be achieved.

Perhaps Sweden, more than any other country, can show the way. From a nation that just a couple of decades ago was known for its drinking problems, it has become a nation with some of the most sensible drinking habits of any affluent society.

Gallup's 1985 poll reports that while 26 per cent of Canadians and 21 per cent of Americans overindulge, Sweden's percentage is 16. The 17 per cent figure for alcohol-related family problems in Canada and 21 per cent in the United States is only 10 per cent in Sweden.

A combination of figures from the same Gallup poll and statistics from the Washington, DC, Center for Science in Public Interest show Swedish per capita alcohol consumption declined 21 per cent between 1976 and 1983, while ours remained virtually stable. The percentage of grade 9 Swedish boys and girls who acknowledge drinking once a month or more declined from 39 per cent in 1979 to 25 per cent in 1981. The Swedes' per capita consumption of alcohol now is one third less than ours in this nation.

It is really quite a remarkable achievement that needs to be, and can be, duplicated here. It was accomplished by a comprehensive program that included steep taxes, paying the costs of the actual illnesses and problems created by alcohol, tough driving laws, limitations on accessibility, extensive education and an advertising ban. In short, they simply deglamorized alcohol consumption.

In summary, we have a massive problem and there are measures that can be taken to reduce it. I am not talking about draconian measures like prohibition; it does not work, and in any event I do not think we have the right to interfere with the wishes of the public. But we can stop advertising and replace it with educational programs, the deglamorization I talk about, and make the alcohol industry pay the costs it creates and put reasonable limits on accessibility.

On this issue, I return to the theme that I started with in talking about government: the need for leadership and courage—leadership in proceeding with the measures and explaining why they are

necessary and courage in taking on the vested, powerful corporate interests who profit immensely from the weakness of so many people.

Let me now move to my final topic, my motive for being in politics and the reason for my being a democratic socialist. I was raised on a farm near Smithville in the Niagara Peninsula. During the Great Depression we could not sell our produce. My father could not sell the produce. We fed our milk at that time to the pigs we were raising, and then could not sell the pigs. Dad lost that farm in 1933. I left school that winter at the age of 14, when we moved to Thorold to take a farm on shares, and I became a hired man on a dairy farm.

I was lucky. That farmer owned a small dairy, and after a couple of years he asked if I would like to peddle milk. But my questioning of our economic and social system which had started earlier in the Depression was intensified by my new job. I went past factories, when I was delivering milk, which were shut down or perhaps only working two days a week. I would go to the doorstep of a house and there would either be a note in the milk bottle—we used bottles in those days—or the mother would come to the door and say, "Just leave us a pint of milk today" or a quart, even though maybe she had four children. "The welfare cheque hasn't come in," or "my husband's only working two days this week."

I started pondering these things. How was it possible that my father was throwing out his farm produce and people were hungry in our society? How was it possible that there were factories standing idle that could produce all the things that the people needed in their society? How was it possible that could happen when you had people wanting to use those tools and work in those factories and who had desperate need for the goods that those factories could produce?

I started thinking there is something wrong with the kind of economic system that we have in our society. We had everything we needed but we just could not put it together. Of course, I heard, even in those days, over and over again, the tired old excuses: "The public expects too much, you know," or "Unions are causing it. They are pushing up wages. Mechanization"—we did not use the word "automation" in those days; we used "mechanization." We had power shovels. I think perhaps the Treasurer (Mr. R. F. Nixon) is almost old enough to remember back in those days when people were saying: "Oh, we will never have full employment again. After all, we have all this mechanization now." The standard one was: "People don't want to work."



They don't want to work, those people who are on welfare. They are just simply lazy."

One of my earliest political memories was of Tommy Douglas. I remember reading this in the paper, and I remember my father talking about him. Tommy Douglas went to Ottawa and put forward all the needs of his community—and they were even worse out in the west in his riding than they were here—in his town and his city. There was a real desperation, and he said: "We should be doing these sorts of things for these people. We should not be tolerating this." Some opposition member got up afterwards and said: "Well, that young member from Weyburn," I believe it was at that time, "he doesn't know much about economics. If he is going to do all of those things, he must think there is a money bush out there some place. Well, I challenge him to go out and find it."

Tommy Douglas got up in reply and said: "I don't know where that money bush is, but I know one thing for sure and that is if war is declared tomorrow you will find that money bush." It was only two or three years after that war was declared and all the shibboleths we had been told proved totally to be untrue—all of those things we had said about the public expecting too much, etc., etc. Not one of them was found to have any truth whatsoever.

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The money bush was there. We did not borrow vast sums of money or investment from outside Canada. There was no wholesale nationalization. We did not really change the system that much. Private enterprise still functioned. In fact, most companies were better off during those war years than they had been before.

Unions thrived in the country. Mechanization or automation was not an enemy, it was used to meet the needs we had at that time.

All of a sudden, everybody wanted to work. There was no unemployment; the lazy people somehow or other had all gone. And our standard of living increased, even though half of our production was being destroyed in a war.

How was all that achieved? It happened because one fundamental change was made in our society. No longer was profit the deciding factor in the economic decisions being made. There was economic planning by government. We set goals in our society. There was priority in the needs to be met and the major economic decisions were made on the basis of meeting those needs and achieving those goals in our society, and government required that the private sector fit into that framework.

I have to say that at that time, all of my questions had been answered. But if that type of economic order worked so successfully in wartime, would it not be wise to use a version of it in peacetime?

I became a staunch democratic socialist then, while I was still in the air force, and I have been so ever since.

That is the real difference between the democratic socialist party, this party that I am proud to be associated with, and those across the floor and those on my left. They believe that the major economic decisions should be left to the private sector; such things as the amount or the direction of investment, processing our natural resources here, whether plants close or sell out and whether our industry and natural resources are foreign-owned or not. They believe in leaving all of that to the private sector. Every major decision is left to the private sector, based on what is good for it.

By contrast, we in the NDP would assure that those basic decisions are made on the basis of what is good for Canada and what is good for Ontario and what is good for employment and what is good for productivity and what is good for fairer sharing, and the private sector would fit within that framework.

That is the philosophy to which I subscribe. That is democratic socialism. That is what is morally right, and that is what works.

Simply, I believe that full employment, meaningful job opportunity for everyone and greater equality in our society are achievable through democratic socialism and must be accomplished.

I want to immediately acknowledge, of course, that no systems or human institutions are perfect. I also want to acknowledge that the competitive private enterprise system provides many efficiencies and will continue to be the dominant sector in our economy. But if we wish to give this full employment, if we wish to have a fairer society, they are going to have to fit within the decision-making process of what is good for the people of this province and the people of this nation.

To those who would decry government involvement, let me say it is far less devastating and inhuman and unacceptable than having a million people unemployed. Any decent, humane society cannot tolerate unemployment. Nothing is more devastating to the individual.

I have here—and I guess I have dozens of these clippings and reports—a study which was done by Morten Owen Schapiro of Williams College in



Williamstown and Dennis Alburgh, Industrial Relations Centre, University of Minnesota, on the effects of unemployment on individuals. I am not going to take time to read it. There was one done here in Toronto when the ball-bearing plant closed down, and it said exactly the same thing.

This points out that to be permanently without a job is as devastating for a person as a death of a close individual in the family. It is as devastating as the breakup of a family, and it substantially affects the health of the people in our society.

They point out in the final clause here: "An annual unemployment rate of 10 per cent leads to 1,280 more suicides"—this is in the United States; the same thing holds here—"than if you have an annual unemployment rate of six per cent." That is the effect of unemployment in our society. Unless government members—and sometimes I wonder if they do—know of people or have someone close to them who has been unemployed and out of work, they cannot possibly realize how devastating that is.

Sweden has shown what democratic socialism can do. That democratic socialist government was elected in 1933 and has held power almost continuously since that time. Do members know what the unemployment rate there is at the present time? Well, I just got it. The unemployment rate in Sweden for 1987 was 1.9 per cent; and in the last quarter it was down to 1.7 per cent. In Sweden, they have not had an unemployment rate higher than four per cent in 55 years, since the democratic socialists have been in power there.

Incidentally, this report is put out by the United States Department of Labor. It is not put out by the Swedes; it is not put out by democratic socialists. The United States Department of Labor puts out this report.

The average standard of living in Sweden—and it is always difficult to get these figures accurately, and I am not saying these are extremely accurate—is approximately 15 per cent higher than it is in this nation. Of course, that makes sense. When you utilize the labour and the intellect of all your people, obviously you are going to have higher productivity and a higher standard of living.

I guess what is even more important than that is that the minimum standard of living in that nation is 50 per cent higher than it is in Canada.

We got some statistics from the government of Sweden. We find that in Canada the highest wage category of working people is in mining, at \$759 per week. That comes from Statistics Canada.

The lowest is in the retail trade at \$330 a week. That spread is \$429, or 130 per cent.

In Sweden, the highest wage category is also in mining, at \$604 per week. The lowest is in clothing and textiles, at \$432 per week, and the spread is \$172; or 39 per cent compared to a 130 per cent spread in this nation.

Those are not the only benefits they have. If we look further at the details of this, we find out that if we take median earnings for all employees, males of all ages in Canada make 117 per cent of the average Canadian wage. That is \$100 is taken as the median, and the average for males is 117 per cent. In Sweden, it is 105 per cent.

For females of all ages in Canada, the average is 74 per cent on a median of \$100. In Sweden, it is 89 per cent. The spread between women and men there is 89 to 105, or 16 per cent. In Canada, it is 74 to 117, or 43 per cent. Those are the kinds of things they have been able to do when they have a democratic socialist government that really cares.

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The number of fatal occupational injuries per 100,000 employed persons, and certainly a higher standard of living, is not based on cutting down in that area. In mining the number of fatal occupational injuries in Canada is 102; in Sweden, it is 33. In manufacturing, the Canadian figure is 10 deaths and the Swedish number is six deaths. In construction, there are 30 Canadian deaths per 100,000 employed persons, and in Sweden there are seven; while in transportation there are 24 Canadian deaths and 10 Swedish deaths. In all activities combined, in Canada 11 of every 100,000 employed persons suffered fatal occupational injuries. In Sweden, it is five.

Of course, we are aware that there is far greater social security there.

No one would say that Sweden has an authoritarian government. It has in fact one of the most democratic, but it does intervene in the economy. I believe, and I think it is true, that freedom is not the absence of laws, it is not in lessening government intervention in society. Real freedom is having a government that is totally accountable to the public, of course, but it is more than that. It is the right to have a meaningful job, it is the right to full health care, to full education, to social security at every age. That is the kind of freedom I want and that is the kind of freedom I will keep fighting for.

Should all of us not think that there is something pretty seriously wrong with the system here? On Friday, June 10, Statistics Canada released unemployment statistics;



1,042,000 people are unemployed in this nation, 7.8 per cent of the workforce. I know it is not that high in Ontario; this is the national figure.

Do members know what? Unfortunately, we think that is great, that is a reduction. Society has come to the point where it thinks: "Gee, things are pretty good. We have only one million people unemployed in our society." We can afford that, we say. We must, because we do nothing about it. We say we can afford that cost of lost production. That cost of lost production is somewhere between \$25 billion and \$50 billion a year, probably about \$40 billion a year, because one million people are unemployed, because we are not running at full capacity.

But we cannot afford enough hospital beds. We cannot even afford hip joints or knee joints to relieve desperate suffering, or places for students in our colleges and universities. Somehow or other we say, "We can't. We are facing"—what was the word used by the Minister of Health—"the irreconcilable conflict," or something of that nature.

**Mr. Pouliot:** Economic realities.

**Mr. Swart:** We cannot afford those things. We also have in this province and in this nation, a surplus of commercial building all across this nation, high vacancy rates in commercial buildings, but we cannot provide affordable housing.

Building lot prices in this city now exceed \$100,000. The average single-family home-dwelling lot exceeds \$100,000. That is over \$1 million a hectare. The very best land in this province for growing food is under \$10,000 per hectare. Do we say something in our society? The \$1 million is there because of speculation, speculation and nothing else. Is land which grows food of less value than land on which we put houses? It is a fair question. The answer is here in our society where you do not interfere.

We have a massive and growing alcohol problem that is devastating human lives. It is a lifestyle that is set by our corporations, which profit from it. Those are the values I have just listed here. Those are the values set by the corporate sector, without government intervention. They cannot blame the government.

The government has not intervened on behalf of the public. I want to say today that the cry should not be for less government intervention but for more, perhaps in a different way and from a different motive. Society expresses itself through government. Its values are largely established by government and I want those values to be what society wants, what is good for

society, not what the corporate community wants for itself.

I believe that life is more than a battle of the marketplace. It is family and sharing, freedom from want and fear of unemployment, and being our brother's keeper and our sister's keeper.

Some may say that is great idealism, that it is not the real world. I want to remind anybody who says that, that health insurance was idealism, too. It was the idealism of Tommy Douglas and it became a reality. Yes, we can re-establish values and we can embody the principles of brotherhood and caring in our society if we have the will. That opportunity has been demonstrated throughout the world primarily by the democratic socialist movements. That is why, inside or outside of this House, as long as I live, I will work to bring that kind of government to power.

I am convinced that society can reach the goal of the hymn writer, often quoted by Tommy Douglas:

These things shall be—a loftier race  
Than e'er the world hath known shall rise  
With flame of freedom in their souls,  
And light of knowledge in their eyes.

Nation with nation, man with man,  
Inarmed shall live as comrades free  
In every heart and mind shall throb  
The pulse of one fraternity.

**Mr. Brandt:** I consider it a very real opportunity to have this moment to respond to the member for Welland-Thorold on what was a very sensitive and very well-thought-out speech. As usual, I agree with a great deal of what the member for Welland-Thorold had to say in his remarks in response to the question of supply, which we have before us today. On that question of supply, certainly many of the comments made by the member were quite relevant.

Rather than dwell on some of the differences I might have with the member on this happy and yet sad occasion in many respects, I found very interesting, if I may have some latitude from the chair just to comment, some of the similarities between the esteemed member for Welland-Thorold and myself. Both of us were born in the city of London. Both of us spent a great number of years at the municipal level of government, one with a very distinguished career—namely, Mr. Swart—and myself with a career in municipal government. Both of us happen to have some relationship to the milk industry in that my father, too, was a milkman. Both of us lost elections before we arrived at this chamber. Mr. Swart lost, I think, one or two on the path to this



place. I happened to lose one before I arrived here.

I have a great deal in common with the member, and I want him to know that I listened very carefully to his comments about what his goals and objectives were relative to why he came to this chamber. I want to associate myself with those remarks. I cannot, obviously, agree with perhaps some of the economic philosophy which was shared by the member, but I know that his heart, as always, is in the right place. He is a people person. He is one who has, as I have said on many occasions, served his constituents well, served this province well and served his party faithfully and extremely effectively.

I say goodbye to him. He will be leaving this place shortly. I know my time is up already. I had much more that I wanted to say, Mr. Speaker, but if you will allow me just a moment, I want to say on behalf of our party, Godspeed. He will be remembered a long time by all of us as someone who is an example of the kind of gentleman or lady whom we would like to see re-elected to this chamber and this House, someone who has a very deep and abiding commitment to the people he was elected to serve.

Mel Swart, good luck.

1550

**Hon. Mr. Conway:** He will leave as he came. We came together 13 years ago, and I sat here and listened to this wonderful man deliver this great speech. I think of the first time, when we were both over there and another party was over here, that the member for Welland-Thorold addressed the House. I cannot remember all of that speech, but I can remember the "Damn the torpedoes, I am here to speak for the good people, the ordinary men and women," I think even before Ed Broadbent was using the phrase.

Throughout all of his 13 years, he has never varied from that course, and his speech today is a very good reminder and, I think, a wonderful summary of his time here. I do not want to go into all of the similarities between the member for Sarnia (Mr. Brandt) and the member for Welland-Thorold. I can think of one dissimilarity. I think the member for Welland-Thorold was always a Co-operative Commonwealth Federation New Democrat, and in that, he is perhaps somewhat distinguished from the member for Sarnia, wonderful fellow though he is.

The member for Sarnia points out something that is also important: that is, many of us have the good fortune to win public office, at least to this level of responsibility, on our first try. I think one of the best things about the member for

Welland-Thorold is that he won election to this place after I do not know how many efforts.

**Mr. Brandt:** Eight.

**Hon. Mr. Conway:** It was a lot of efforts, and that is perhaps the greatest tribute of all. He has not been guided by the whimsicality of electoral winning or losing. It has been the cause.

I sat here and I looked at some of his younger colleagues, and we are losing today, and the NDP is losing, with the possible exception of the member for Beaches-Woodbine (Ms. Bryden), a wonderful oracle and a wonderful reminder of those great days of the CCF in this province and in this country. I would hope that great tradition in this province and in this country will be carried forward.

In conclusion, obviously we do not all of us agree with all of the remedies offered to all of the ills identified, but I must say to my friend the member for Welland-Thorold that he has set a very, very high standard in terms of both his commitment, the way in which he has expressed that and the example of representation that he has set. I hope and pray—though I do not expect that either will bring me to the same point—that at threescore and 10 I will have the energy and the commitment that our friend the member for Welland-Thorold has shown here today.

I just want to say to the honourable member, who has been a colleague for 13 years, that I will miss him, because there has been no one who has been better, who has been more exemplary. I can just hope that from now to eternity, it is not just great stock car races and great old evangelical democratic socialist opportunities that will fill his time, but that he will perhaps have the opportunity to guide some of his younger colleagues on all sides in the very fine example and outstanding legacy that he leaves to this place after a very stellar 13 years.

**The Deputy Speaker:** Thank you. The Leader of the Opposition.

**Mr. B. Rae:** I will let the minister go.

**Hon. Mr. Kerrio:** I was hoping that we would let the honourable leader wind up.

Cela m'a fait plaisir d'être associé avec mon collègue le député de Welland-Thorold. I thought I would do that, Mel, to show that there is still hope for us. I can share with him, as some of the younger members cannot, that you can teach an old dog new tricks, and I feel very good about that.

We are a little bit apart philosophically. A lot of nice things have been said about him, but I think the one thing that really surprises me, Mel,



is that you did not cross the floor. That surprises me because of that old political story about how you would rather see one lost from this side than from that side with your retirement. But you did not see fit to do that, so really now you have lost one of the numbers over there.

I am also of the class of 1975, and even though I had another commitment, I was very anxious to be here, Mel, to hear you make your final presentation here with the rest of your colleagues. I think the utter silence was a real tribute to all the people who came to hear you make your windup.

While we may be somewhat different philosophically, I think the warmth and the kind of dedication you have displayed here, the will to do that with those of us who are a little bit different philosophically, shows the kind of warmhearted individual you are. It has been my pleasure to have been in this particular chamber with you, and I would wish you and your family the very best, that you enjoy retirement and that you do it in a healthy and productive way. Thank you very, very much.

**Mr. B. Rae:** I will just take a couple of minutes to try to express what I think, really, all of us are finding a difficult time finding the words for, but it is a bittersweet moment, as has been said.

The member for Welland-Thorold has had, in my presence, I think, about four tributes already. There is going to be another one tonight. This is one of the most saluted farewells I have seen in politics, and I think it is a reflection of the feeling that we all have for Mel.

I just hope he will remember the words of Adlai Stevenson, who once said that, "Flattery is OK so long as you don't inhale." I am hoping that the member for Welland-Thorold will not be inhaling in these next few weeks.

I do want to pay tribute to the gathering in the gallery, because Mel has had the love, support and help of a quite remarkable family, with Thelma, the children and grandchildren there, and I know he would want me to recognize them for their remarkable presence and companionship in his life. I think all of us in this business know that you cannot do it, as Mel has not done it, without the affection, support and help of his family. This is demonstrated in many, many ways and we are delighted to see them all here today.

I have come not only to know but also to love the member for Welland-Thorold. I have worked hard with many different kinds of members both federally and provincially. I have been a friend of

and gotten to know Tommy Douglas and David Lewis in my life, as well as David's remarkable son Stephen, and Donald MacDonald, who was my predecessor for the riding of York South. I have worked with many of the pioneers in our movement and in our party.

I can honestly say that I know no one who is finer and who has made a more remarkable contribution to the democratic socialist tradition in this country and in this party than the member for Welland-Thorold, Mel Swart. He is somebody who teaches all of us an example of courage and of conviction, a philosophy which is always expressed in a way that is very human and real to people and that people can relate to and understand. I have learned a lot from Mel Swart. I think everybody in our caucus has.

I am sure members in the House would not feel I am being too partisan when I say that you have your loss, but believe me, it is nothing compared to ours. You all know those precious moments in caucus when people let their hair down, and we have had more than a few since I became leader. I can say that in all those encounters, no one has expressed himself more effectively and fairly, and always in the end warmly, and if I may so say as leader, with an extraordinary loyalty and dedication to the party and to the group. I just think it is a remarkable example to everybody in public life.

If I could just share one last thought, many people have a dim view of politicians and a dim view of those of us who are in public life. If you look at the career and example of Mel Swart, it is really hard to subscribe to that point of view. He gives all of us a sense of belonging to a profession which, while it is not always noble in its practice, certainly is in its ideals. Not only am I proud to be a colleague of Mel's as a member of the New Democratic Party but I am proud to be a member of the same calling and I want to thank him for showing the way. *Merci beaucoup.*

**1600**

**Mr. Swart:** I would not be fair to my colleagues in this House if I did not rise and say thank you for the very kind comments they have made. They are very touching. I say to them that it is going to be difficult to leave here. Very few people leave this place, either by their own volition or by a decision of the electors, who do not miss it immensely.

I want to say that, in a strange sense, the very real kindnesses which you have shown me on my retirement make it both harder and easier: harder because of the friendliness I feel towards everyone here, and easier because when you go



out of here in this manner you have something very warm to look back upon.

I say to you, Bob, that I will not inhale. I say to you and to people here, as I said the other night, that I am very conscious of the fact that there is only twice a person gets these kinds of compliments: once when you retire and the other time when you die. I am glad it is the first and not the last.

I, too, want to pay tribute to my wife and family, who are now in the gallery. Unfortunately, they were not able to be here when I started to speak. As my leader has said, nobody can make full contribution in this Legislature unless you have the support of your family. I have always had that unqualified support of my family. Not just my wife but every one of those who are sitting in the gallery has taken part in my campaigns and has shown a loyalty it would be impossible to exceed.

I say to all of you, Thelma, Melva, Orlen, Peter, Elaine, Spencer, Gillian, Darren and Kevin: I thank you, I am proud of you and I will be spending more time with you. You may take that as a threat. I am not sure how you take that, but I want to be doing that. Thanks to you all.

On motion by Mr. Harris, the debate was adjourned.

#### RETAIL BUSINESS HOLIDAYS AMENDMENT ACT (continued)

Resuming the adjourned debate on the motion for second reading of Bill 113, An Act to amend the Retail Business Holidays Act.

**Mr. Cureatz:** I will continue with my debate on Bill 113 as a number of the members leave the chamber. I will talk to all those people at home. At this particular time, this is one of the more difficult follow-ups I have to make, after the presentation that has been made by my now retiring colleague the member for Welland-Thorold (Mr. Swart). I know he is being congratulated by his colleagues and talking old times, and it is difficult to get one's mind around this very enthusiastic piece of legislation which has been brought forward with great gusto by the Liberal administration. It is so pleasurable to see one of the Four Ponypeople here to listen to my remarks.

I do want to say, however, about the member for Welland-Thorold, for those who are listening, more particularly his family—he is too busy, but I will talk to them for a moment. For all of the people at home—and I say to the Speaker, allow me about two or three minutes to digress from

Bill 113 and speak about the member for Welland-Thorold, if I might—four minutes at the most.

I want to say to members of his family that I had the opportunity of serving as Deputy Speaker of these chambers for about four years, from 1981 to 1985, I guess—the good old days. I will say, first of all, something about the New Democratic Party. From time to time they can be a trifle sanctimonious, but I will tell something about them individually. They know how far they can push a particular item—and boy they will push it hard and furiously—and then they know that they have pushed it enough. That meant a lot to me as a brash new Deputy Speaker after serving a mere four years and then becoming a servant of these chambers. Strangely enough, as tyrannical as the New Democratic Party could be from time to time, it was always assuring to me that I could rely on them obeying to the letter the rules of our assembly.

I can think of a couple of people who fit that description more than others of that party. One is the member for Hamilton East (Mr. Mackenzie). Another is the member for Oshawa (Mr. Breaugh), my own colleague from my area in Durham. But, lastly, there is the member for Welland-Thorold who, in his own style and unique way, had the opportunity time and time again of bringing these chambers to their feet with laughter, yet seriousness, over those issues that he described so well in his concluding remarks, be it toilet paper—

I can remember a particular incident when I was in the chair—I believe it was a dead chicken, and he was exclaiming on the problems that he saw in terms of a representative in the great province of Ontario and the discrepancy of prices over materials and foodstuffs.

I can say that never, ever, in sitting in the chair, or in my capacity as Chairman of the committee of the whole House, did I ever have to ask the honourable member more than once to take his seat. He was determined on particular amendments that affected him closely, especially on consumer items. Feisty, argumentative, a little repetitious—I learned something from him on that score—but after a point in time when I asked him or sent him the odd note by a page that I think we had had enough, he would look at me, agree and sit down.

It meant so much to me because it takes a lot to run these chambers, and I know only too well, as I rant and rave from time to time, the pressure that can be put on a Speaker or Deputy Speaker. He has to have the co-operation of all members of



the House. The gusto of the honourable member has often frightened me, when I was in my chair, in terms of bringing him under control, but he knew when to be brought under control and I appreciated that very much. Of course, we wish him the best in the future years with his family, of which, I must say, I am a tinge envious, as I will have to carry the torch. As a result, speaking of carrying torches, I know that the member allows me now to continue with Bill 113.

It is so pleasurable to see all the Liberals. I want to tell the people at home that, of this large majority Liberal administration, there is not one Liberal over here on the rump, not one. One would think, out of 94 members we could find one of them here just to make me feel a little more comfortable. Is there one Liberal here? I am almost thinking about the possibility of making a quorum call. Let me see. One, two, three, four, five, six—

**Mrs. Cunningham:** Seven.

**Mr. Cureatz:** What? We are getting input from all over the place.

**Mr. Morin-Strom:** Pretty soon.

**Mr. Cureatz:** Pretty soon? I will leave it in the good hands of my fellow colleagues in opposition to determine when it would be appropriate to mention to the government, since it is running this place now with its large majority, that it may be opportune to have a quorum in here, as it is obliged to do, I say to the Minister of Natural Resources (Mr. Kerrio). I will wait my turn at that point in time.

**Mr. Speaker:** Bill 113?

**Mr. Cureatz:** It is interesting, to refresh all the people at home from whom I have had hundreds of phone calls and many, many telegrams last week, or yesterday—it seems like last week—exclaiming how appreciative they have been of me to bring to the forefront the concerns that I have, as critic for the Solicitor General (Mrs. Smith) who is bringing in this legislation, and how appreciative they have been to again focus in on this particular issue of Sunday shopping, Bill 113.

Of course, we are really delighted that my colleague and new friend the member from London North (Mrs. Cunningham) is here in attendance, because we all know that one of the most successful campaigns in the recent by-election was that issue of Sunday shopping. If anyone in these chambers has brought it to the fore, it was none other than my colleague the member from London North, who, in the Premier's (Mr. Peterson) own backyard, down in

London, faced odds of incredible stature and was successful. Even I did not think she could win—even I, and I know lots—but she was successful on this one issue, Sunday shopping, Bill 113. Happily enough, she has taught me a thing or two.

**Mr. Mahoney:** No. Say it isn't so.

**Mr. Cureatz:** Yes, indeed; I admit it, and it has been on Sunday shopping and the success that she had while she was knocking on doors, tramping up and down the sidewalks, explaining—

**Mr. Mahoney:** Were you there?

**Mr. Cureatz:** I was there in London.

—explaining to the people the cause and concerns that they should have about this large, administrative government, which has exceedingly increased the civil service, and we are going to see that kind of result that—

**Mr. Hampton:** On a point of order, Mr. Speaker: Under standing order 5(a) we do need a quorum, and since this is such an illustrious speech on the damages of wide-open Sundays, we should have a quorum.

**Mr. Speaker:** I will ask the table to ascertain if we do have a quorum. No quorum? Call in the members.

Mr. Speaker ordered the bells rung.

1614

**Mr. Speaker:** A quorum is now present. I ask if the member for Durham has any further comments.

**Mr. Cureatz:** Of course, we have to be very appreciative to the member for, I believe, Riverdale, who indicated that there was a quorum absent in the assembly.

That brings us to the point that I did not get to yesterday because the House leader for the New Democratic Party decided to take it upon himself to be a little boisterous in terms of my explanation and concerns about Bill 113. I will say, though, in appreciation for his standing in his place and calling the quorum, that it gives me nothing but great pleasure to be working along with my colleagues who are the official opposition in regards to this piece of legislation. For too long we have been at odds with one another, and I can think particularly in 1985 when we could not see eye to eye, but now we know—

**Mr. Morin-Strom:** You didn't get beer and wine in the corner stores.

**Mr. Cureatz:** That is right.

Now we know that we can work along and there will be another time, in 1990, I say to the



Minister of Natural Resources, or 1991; and I say to the people at home, in regard to Bill 113—for the benefit of the Speaker so that he does not stand in his place and call me to order that I am not speaking to the bill—I say to the people at home, the reality is I do not think we humble people in the opposition, even with the support of the New Democratic Party, are going to be successful in stopping the legislation because the results of the election are indicative of the fact that the Liberal Party, which has formed the government of Ontario, has a large majority to pass its legislation.

But the parliamentary process, being what it is, allows us in opposition the opportunity to express our thoughts and concerns about the legislation, so that just maybe there would be the possibility of somebody over there speaking up, either a back-bencher or one of the Four Horsemen of the Apocalypse who will say, “We’ve made a mistake and we should re-examine Bill 113.”

Hence, I am here this afternoon to carry on not at great length, but to carry on what, as I indicated yesterday, Bud Germa used to call a walk around Ontario. I was bringing to everyone’s attention the kinds of correspondence I have had about this legislation. I know only too well, like my friend and colleague of the bar, who unfortunately is not of the same party—but at least someone from the Liberal Party is over here, now on the rump, to listen to me on a walk around Ontario in letters that I know all members opposite have received.

It is astounding. Do I dare say it is almost hypocrisy to see some of the Liberal members stand in their place and spew forth support of the legislation which will mean Sunday shopping across Ontario?

**Mr. Fleet:** That’s unparliamentary. Withdraw that.

**Mr. Cureatz:** We will have to wait for the Speaker to make the ruling.

**Mr. Fleet:** On a point of order, Mr. Speaker: If I understood the last comments made by the honourable member, and it is sometimes hard to do because of the way he expresses himself, he seemed to impute motives to the members who stand in support of legislation, and I understand that to be contrary to standing order 19(d)(9). An honourable member is not to impute the motives of another honourable member. I am not sure if that is what he intended—he often, I think, says things he does not intend—but if that is the case, I would ask for your ruling with respect to his comments.

**Mr. Speaker:** I listened very carefully. Because the honourable member who is speaking is a former presiding officer, I am certain he gives careful consideration to the words he uses. In listening, I did note that he did say “almost.” I know that the member would wish to continue on Bill 113.

**Mr. Morin-Strom:** On a point of order, Mr. Speaker: I believe the member for High Park-Swansea (Mr. Fleet) does not have a point when his party does not maintain a quorum in the House.

**Mr. Speaker:** I have been requested by the member for Sault St. Marie to ascertain if there is a quorum in the House. Would the table please do that?

Interjections.

**Mr. Speaker:** Order.

To inform the member for Sault St. Marie (Mr. Morin-Strom) on that point, there is a quorum present. The member for Durham East may continue.

**Mr. Cureatz:** I thank once again my colleagues from the official opposition for coming to my assistance in regard to the quorum.

**Mr. Mahoney:** Is this orchestrated?

**Mr. Cureatz:** I will tell the member from wherever it is, from way in the back bench over there, nondescript as he is—the member for Mississauga West (Mr. Mahoney)—that if he were much further in the back bench he would be up in the public gallery. After the next cabinet shuffle, when he is not in the cabinet, he is going to be so disappointed and disillusioned that is where he is going to be sitting, or running for the mayoralty of Mississauga.

**Mr. Speaker:** I wonder if the honourable member would take his seat. I am sure the honourable member is aware that we are debating a particular bill. It is out of order to make interjections, and it is also out of order to even listen to the interjections and make comments on them, so would the member please continue on the legislation?

**Mr. Cureatz:** It is so difficult, and I will do my best, sir, to you, not only in regard to respect for your position, but because you have a lovely, fine wife, Nancy, whom I would not want to disappoint by disobeying your ruling.

I would like to speak to Bill 113—

1620

**Mr. Speaker:** I was just wondering. You are going to speak to this bill?



**Mr. Cureatz:** I was taking a tour around Ontario about Bill 113, and the honourable member for High Park-Swansea very kindly brought to the Speaker's attention the possibility that I was treading on unparliamentary language. I say to him, if he was so insulted, that I will gladly retract. If it was unparliamentary to say that some of the Liberal back-benchers almost border on hypocrisy, I say to the people at home—it is 4:30, some of you are finished your shift work and getting home, some of the children are watching cartoons, as mine do, but maybe one of you is switching to this channel—as an example of what happened today in these chambers about Bill 113, the honourable member for Muskoka-Georgian Bay (Mr. Black) stood in his place after question period. Do you know what he did, Mr. Speaker? He read a petition. Do you know what that petition was about? Does he know what it was about, I say to the member for Mississauga West? Ask me, some Liberal back-bencher.

**Mr. Mahoney:** What was it about, Sam?

**Mr. Cureatz:** The petition was against Sunday shopping. That is right.

**Mr. Black:** On a point of order, Mr. Speaker: I think if the member is going to quote me and cast aspersions on me, at least he could be accurate in doing that. The petition was in fact dealing with “wide-open” Sunday shopping. That may be a subtle distinction, but let us understand that that is a distinction. The member should recognize it.

**Mr. Speaker:** I believe the member rose on a point of order. I would consider it a point of information rather than a point of order. The member may continue.

**Mr. Cureatz:** We appreciate the point of information.

**Mrs. Cunningham:** The former school board administrator.

**Mr. Cureatz:** The former school board administrator, I am sure, when he is giving his speeches back in his riding, will be one of the people who will have a very difficult time in the next election; we all know that is a very strong Conservative stronghold. We will be interested in his pamphlets in the next election, when he is going to be talking about Bill 113 and Sunday shopping and how he read petitions in the Legislature, and then he is going to be supporting it, because we all know the word “seal” in here and we know which way he is going to be voting on the bill.

I want to carry on with my tour of Ontario and bring to the member's attention, as I did yesterday, the Rehoboth Christian Reformed Church in Bowmanville indicating to me that they would like, through me, “to voice my deep concern about the provincial government of Ontario's intention to introduce legislation that would pass the responsibility for regulating Sunday shopping hours to the municipal governments.”

The clerk of the administration, whom I respect, carries on at great length, and I will be sending a copy of Hansard to them in regard to my remarks, indicating that I did do as they had asked, express their concerns about the proposed legislation.

We can carry on with some larger groups, like the Canadian Federation of Independent Grocers. I say to all the Liberal back-benchers, and even some of the cabinet ministers who represent small communities, like the member for Victoria-Haliburton (Mr. Eakins), my colleague to the north, that they should go back into their communities and speak to the little grocers, the owners of the IGAs and the Red and Whites and see what they have to say. I say to the colleague who was with me on the trip to Quebec City that I had hoped he would listen, because he is one of the more reasonable Liberal cabinet ministers over there. I am disappointed and hurt to the quick to think that he is kowtowing to the Front Four.

He has his own stamina. He is known as an individual, and what is he doing? He is not listening. There is no doubt that there are some businessmen in his community who belong to the Canadian Federation of Independent Grocers. If he went and listened to them, they would tell him what they think about his proposed legislation and he would be embarrassed, and he would say, “Aw shucks,” and just kick his feet in the sand and say: “It's not really me. It's the Premier, really; he's running everything.”

He would try and get away with it, but we are not going to let him get away with it, because there was a Conservative member in that riding before he was elected, John Clement, and I am confident that there is a good Tory association there and it will be bringing to the attention of the constituents and the voters during the next election where the member stood in regard to Bill 113 and Sunday shopping. I hope he puts it in his newsletter and his pamphlets so everyone will see and will know where the Minister of Natural Resources stood in regard to this particular issue.



We could talk about the Citizens for Public Justice and Bill 113. I brought that to the attention of members yesterday.

Here is one for the benefit of the member for Durham-York (Mr. Ballinger), who is not in attendance at the moment, even though he will be tuning me in later this evening on the replay. He indicated the township of Scugog is allowing Sunday shopping to take place in the municipality and Port Perry but is turning a blind eye to what is taking place. Well, I do not know and I will follow that up with the councillors, and that may be what is taking place, but for some reason, here is a letter from Earl S. Cuddie, clerk-administrator, to none other than the Premier of Ontario, with a copy to me, being the humble member for Durham East representing that area.

"Re AMO's response to proposal for municipal referendum on Sunday shopping."

I cannot understand how all the Liberal members, who no doubt have a good, close working relationship with their municipalities and councillors, can turn a deaf ear to this kind of concern from the municipal politicians.

"At a regular meeting of the council of the township of Scugog held Monday, March 14, the council considered the association of municipalities' position with respect to Sunday shopping and a referendum related thereto in the elections. The council of the township of Scugog wholeheartedly support and endorse the association's position that Sunday shopping not be a question on the 1988 election ballot and that they do not want the responsibility of having to make the decision at the municipal level."

That is from one of the councils in my own riding of Durham East. I know, without a doubt, and I would bet that the city of Mississauga has sent a similar letter to all those representatives in Mississauga. They are backpedalling so quickly, all except for the very astute and fine member for Mississauga South, who, of course, is against the legislation as is my party.

Of course I refreshed everyone's memory about the region of Durham. Not being happy enough, the great region wanted to again emphasize its concerns about Bill 113. They sent a letter to the Premier, and I am glad the member for Durham-York is here, because he prides himself on being a former councillor for the region of Durham. Does he know what the region of Durham had to say, I ask the member for Durham-York? This is interesting:

"Therefore, be it resolved that the regional council pass a resolution indicating to the

province its opposition to open Sunday shopping, urging the province—

**Mr. Ballinger:** You read that yesterday, Sam.

**Mr. Cureatz:** No, this is a new one. Those are the new ones.

"—to maintain the status quo in regards to Retail Business Holidays Act relating to Sunday shopping."

I do not know, do they have recorded votes in the Durham council? I would like to know how the Liberal candidate against me in the last election voted on this. Ah, she represents a rural community. Dollars to doughnuts—just like the hockey coach said, "Go eat a doughnut"—she voted in favour of this resolution condemning her own party about coming forward with Bill 113 and Sunday shopping.

"And a copy of this resolution be sent to all regional and county governments."

That means the member from Durham-York over there got a copy of this resolution. I do not remember him standing up in his place—and yesterday he said he was so proud that he represents 80,000 people and that he has to be heard here too.

**Mr. Villeneuve:** Where are you, Bill?

**Mr. Cureatz:** Well, I tell the member, where is he now? I have not heard him talk about the resolution from the Durham region. How about reflecting some of their concerns? Oh, no.

Does the member know what he is doing? It grieves me.

**Mr. D. R. Cooke:** He is correcting you.

**Mr. Cureatz:** I am hurt. He has fallen into the back-bencher trap, and I have told the back-benchers about the back-bencher trap. He is supporting Bill 113, as all the other back-benchers are here, because they are hoping to make it into cabinet. They are toeing the party line. I have said to them it is impossible. The odds are against them. The Premier has selected the people who are going to run this show. He may shuffle five or six around. There are 50 of them hanging around there. There is no way. The odds are—what is that?—1 out of 50 that they are going to make it into cabinet. They should show some gusto. They are going to have to get some recognition in their own ridings, and they can do it on this one issue.

I plead with them. I have sat over there and I have sat over here, and yes, I have sat way over there. They are just going for it hook, line and sinker. They should cut out their own cloth and stand up against the Four Horsemen over here who are bringing forth this legislation.



1630

Our former restaurateur would know about the Scugog ministerial association. Do members know what it had to say about Bill 113? The Scugog ministerial association of Scugog township clergy passed a motion to send a letter expressing concern over the potential extension of Sunday shopping to me, their representative—and I am here expressing their concern—from Reverend David Shepherd, chairman of the Scugog ministerial association.

The government House leader is over here and he is getting nervous. Do members know why? Because I am making some inroads. Just maybe one or two of them will stand up and object to the bill. He is going to get really worried. He is going to have a revolt on his hands. His ministerial budget for dinners and lunches is going to escalate. He is going to be buying so many meals. That is good. The back-benchers should put some pressure on him. He has had it too cosy. He was under a lot of heat in the old days when he was Minister of Education. I felt a little sorry for him. He had to face maybe 1,500 teachers, down at the Park Plaza or someplace, yelling and screaming at him.

Look at the cushy job he has now. Can members believe the salary he is getting, wandering in periodically, talking to a few of the back-benchers, keeping them under control and standing up now and again, having fun with the New Democratic Party House leader and our House leader, going out for dinners and lunches—I know the whole routine—trying to manipulate the concerns here in the Legislature? Back-benchers of the Liberal Party and the rump way over here—they are not even members—should put some heat on that House leader. They should talk to him about Bill 113 and express their concerns.

OK. Here is a question. Ladies and gentlemen at home, I have a question to all the Liberal back-benchers, through the Speaker. Who has letters from the ministerial associations in his riding concerned about Bill 113 and Sunday shopping? Hands up. Now, let's be honest about it. I apologize to the member for High Park-Swansea (Mr. Fleet). If I said they were hypocrites, I take it back. I brought forward the facts. We will let the people at home make the judgement.

Now, for the people at home, I am asking all the Liberals here, who has a letter from the ministerial association against Sunday shopping? I say to the people at home, you should see all the

hands that are going up. They all have letters. Are they listening? No, they are not listening.

**Mr. Ballinger:** Baloney.

**Mr. Cureatz:** The member for Mississauga West (Mr. Mahoney) put up his hand, and he has been listening. We are going to be really enthusiastic.

**Mr. Mahoney:** On a point of order, Mr. Speaker: I have been led to believe that it is improper conduct to tell anything but the truth in this House. The member opposite just suggested that there were numerous Liberal members with their hands up, which is not true and is therefore a lie. He also suggested that my hand was up, which was not true and is also a lie. With respect to the honourable member, I suggest that is against the rules.

**Mr. Cureatz:** I gladly retract. The newly elected member has so much more experience and is so much more learned in the rules of this assembly, I will do nothing but bow my head in shame and say to him that we will be looking forward with great interest to the next election, when I know the Conservative association out there in Mississauga West will be reminding everybody that he did not put up his hand to indicate that he was getting letters from his ministerial association, like St. John the Baptist Anglican Church on Dixie where I used to attend. He probably did get them and he should have been representing their concerns here in the assembly.

I want to finish off this portion, because we have a number of sections to deal with in Bill 113. As the critic of the Solicitor General, I know you can appreciate my concerns, Mr. Speaker.

We have been approached by the Coalition Against Open Sunday Shopping, which is, surprisingly enough, an organization that has been put together over a short length of time and I think has done a pretty darned good job to reflect the concerns of the people of Ontario. I am not going to go through all the correspondence and all the members; although I would really like to list all the members, I will just hit one or two.

It is interesting to note the pressure that is being put on. I am really impressed that the Liberal back-benchers are withstanding the onslaught, but they will not withstand it and there will be no red tide in 1991 because this coalition is going to be talking about where each and every one of them stood on Sunday shopping. We will not have to do it as Conservatives. As we all know, we have been through some campaigns. The candidates are busy as bees, knocking on doors, giving speeches, getting tired, but there



will be groups like this group, which is well organized.

I can only bring to your attention: "January 22. Immediate release. Coalition Against Open Sunday Shopping: The Coalition Against Open Sunday Shopping will be holding its inaugural meeting on Wednesday, January 27, in Toronto." There was another press release on January 23 and a few days later on January 25—fast and furious; then a statement by Tom Ross, chairman of the Coalition Against Open Sunday Shopping, and a press conference at Queen's Park on April 18.

Do the back-benchers of the Liberal Party think they are going to be able to withstand this kind of lobbying during the next election? No way. There are going to be people canvassing against the Liberal incumbent member or New Democratic Party member or Conservative member, but the heat is going to be on.

I say to the House—and I said this yesterday; I mean this sincerely—just listen very closely: The best thing that the Liberals could do for their party—it would kill us and the NDP—would be if the Premier stood up just before the House concluded and said: "We made a mistake. We are not going ahead with Bill 113."

They will not have to go ahead with the PC task force, which I will bring to the attention of everybody here. They can go ahead with the select committee that was struck under minority-government days. Remember those days of minority government; how the Liberals made the deal with the NDP, which we all seemed to forget so suddenly?

If they go back to the select committee, the Liberals will be off the hook. The Premier will be a hero. All the back-benchers will be able to write back to all the ministerial associations and answer all the phone calls they have been getting, and they will be relieved. Then we can get on with free trade, Meech Lake and a by-election: the member for Welland-Thorold (Mr. Swart) has resigned.

If the Liberals do that, it will take the wind out of our sails. This is free advice. I am making it public. I am not having a quiet dinner or lunch with them at Cullen Gardens and talking about how to manipulate the government of Ontario.

**Hon. Mr. Conway:** Sam, why do you remind me of a full, full moon?

**Mr. Cureatz:** My House leader has just been in attendance and I have the sneaking feeling that he is getting the same reading that the member is getting.

**Mr. Mahoney:** He is going to take you off the list again.

**Mr. Cureatz:** That is right. We are close to the adjournment of the House, so they can take me off the list again.

March 17: another press release from the Coalition Against Open Sunday Shopping. March 21: an open letter to the Premier. I want to indicate the lists of people who are on this committee. I pride myself on being a titch of a loner, even in the Conservative caucus, because I have learned something from the New Democratic Party, from the member for Oshawa (Mr. Breaugh) and Ed Broadbent, and I have been teaching my colleague here something. That is, look after your riding first. I tell the government House Leader to just keep monitoring television and he will get the message. In 1991, he will get the message.

Are the Liberal back-benchers having a good time here? I know they have to put in the hours. The clock is ticking away. At six o'clock we will get out of here. Tomorrow will be another day. But the day of reckoning—and I say this to the people at home and to the translators and to the people manipulating the cameras, because they all have a vote too—the day of reckoning will be that next election. Trust me. Twenty-five Liberals will not be here.

1640

Do members know what they used to say at law school? "Look to your left, look to your right and look at yourself. Two of you will be gone." The Liberals can do the same thing over there. The same thing is going to happen. Look at the way we went down in 1985. We had some good cabinet ministers, and in the last election there were a lot of good incumbent Conservative members. Remember them?

**An hon. member:** No.

**Mr. Cureatz:** Maybe she doesn't. I remember them.

Notwithstanding the hard work that they did, they got hit by the Liberal red tide. I will admit it. How can I say anything different? I am not going to sit in the front bench and say what a great, wonderful job we did in the last election. We got slaughtered. Their time is coming because politics is very volatile in Ontario and Canada and these kinds of issues, of which they are on the wrong side, are going to make it extremely volatile.

Do members know why? Look at the list of people here. This is just a little snapshot of all the people who are against the proposed legislation.



Of course, I brought to their attention the Association of Municipalities of Ontario, and I have got pages and pages more. I will just hit one or two per page. I tell them, if I was a Liberal back-bencher, I would be loosening my tie, pulling out my Kleenex, wiping my brow and re-evaluating my stand in support of this bill. They are going to be in trouble.

We should think of all the members from Toronto. The Minister of Health (Mrs. Caplan) is from Toronto. She is working hard. She has a tough job at the Ministry of Health, with a third of the provincial budget. But it is this kind of issue that is really going to hurt all the Liberal members in Toronto. Look at the list of associations—and this is from Toronto—that are against this proposed legislation.

On the next page is the downtown London business improvement area. Are members familiar with them? I am sure they are. The Solicitor General (Mrs. Smith) should say, yes, she is. Think of the Premier. That is his hometown. That is where the Solicitor General is from, bringing forth this legislation. It is her own hometown. She is going to be in trouble, notwithstanding Joan's Dome that her husband is building down on the Lakeshore Road.

I remember her back in 1985, when my wife and I, during the campaign, sat up late one evening to see what was happening during the provincial election. Who was our leader then? Frank Miller. There is the Solicitor General in her little red shoes, knocking on doors. Boy, she got some great coverage. I am going to be very interested to see her again having that kind of coverage in her red running shoes, knocking on doors, explaining why she brought in Bill 113 and Sunday shopping.

**Mr. Villeneuve:** After calling it "the chicken way out."

**Mr. Cureatz:** I will tell you, it is going to be very interesting. Is that what she called this bill—I ask my colleague—"the chicken way out"?

**Mr. Villeneuve:** "The chicken way out" is a great piece of legislation.

**Mr. Cureatz:** That is right; I remember that, when she read the statement in the Legislature. I am going to refresh everyone's memory in a few minutes. When she first read it, I stood in my spot right here and I said: "You are doing the wrong thing, Madam Solicitor General. You are doing the wrong thing. You are going to have chaos across the province." But I will bring that to the attention of members later on.

**Stratford City Centre:** Stratford is the home of the Speaker. As good as the Speaker is, as highly

respected a man as he is in these chambers and in as high regard as I hold him, I will tell members, even he will have difficulties discussing Bill 113 with his constituents. He can dissociate himself a little, being the Speaker of the chamber, but at election time he is going to be quoted a Liberal and he is going to have some difficulties with Bill 113. I know Stratford. It is a lovely community. My wife and I have gone there to the theatre. It is going to be very difficult for him.

That was a tour of Ontario and the kinds of letters that I have been getting. If that did not hit the Liberals over there, how about this one? I am going to have a really interesting time just reading the highlights of the press that has gone on about Sunday shopping. No other issue outside of the Catholic school funding legislation has really been focused in on all of us at Queen's Park. I cannot think of one. In my riding there is the Darlington generating station and presently there is Metro Toronto coming and putting a dump or dumps out in my constituency. Those are hot local issues, but this is an across-the-board provincial issue.

In terms of time, I will not even go through all the highlighted comments about what the press across Ontario is saying. I will just hit the big black letters, the capsule comments: "Premier Shrugs Off Poll Opposing Sunday Shopping." This is the Premier for whom I have a great amount of respect. It is his ideas that I have some concerns about.

"Chamber Set to Make Resolution: Province Should Handle Sunday Shopping; Ontario Refuses to Bend on Sunday Shopping." The pressure out there for the Liberal back-benchers, I know, is horrendous. I can remember, when we were the government, I sat in the back benches too, and Davis brought out some legislation that we took some real flak on: wage and price controls.

Boy, if the back-benchers want to start fighting the New Democratic Party, they should have seen them on wage and price controls. They were really tough, and I mean that sincerely. The NDP House leader was no cream puff or pushover. They spoke on wage and price controls for one year, and do members know how far we got? We got to clause 1(a). For one year we spoke on wage and price controls, hour after hour, in this chamber. Let government members wait until they start revving up the fires. I am going to be nothing compared to when they start getting cranked up, mark my words.

From *The Anglican*, a magazine I am slightly partial to, I quote, "Churches Stand United in



Their Opposition to Open Sunday Shopping.” How the Liberal members can take on the churches, I will never know. That is a tough one. I can only say they should enjoy it while they are here. They will get their names chiselled downstairs on the marble plaque and that will be it. The Liberal member will bring his kids back years from now and say: “That’s when I was a member, but I got defeated on Sunday shopping. I should have stood up and spoken against the Premier on it.” But the Liberal members will not do it, and they are going to go down. They are going right down.

They can still save themselves. They can still do it. Not all of them are going to do it, but one or two—

**Mr. Villeneuve:** You can be born again.

**Mr. Cureatz:** Yes. Thank you, I say to my colleague. Liberal members can be born again on this issue.

It even hit Maclean’s magazine, our national magazine, talking about Sunday shopping in Ontario and the kind of controversy that is taking place. Members should look at this. Do they know how much this costs? The Toronto Star—holly smokes—Monday, January 4, I do not know; it is big dollars—I sure could not afford it in my riding of Durham East, as supportive as the people are from time to time during the elections—to buy an article like that, “Saturday or Sunday? One Day Closed.”

The parliamentary assistant to the Solicitor General is rubbing his eyes, he is crying because he wrote that letter to the Toronto Star trying to explain his minister’s position on this bill and now he is feeling really remorseful because he knows there is no explanation.

How about the minister herself, whom I have said from time to time I respect? I quote, “Liberals’ Sunday Shopping Stand Given Hostile Reception to the Minister, Gregory Sorbara and Joan Smith.” Our own esteemed leader happened to be there to speak out against Sunday shopping.

“Petition has Churchgoers Resoundingly Against Sunday Shopping.” From a community in my own riding, we have in the Oshawa Times, “City Tosses Sunday Shopping Issue Back to the Grits.” I say to the member for Durham Centre (Mr. Furlong)—who is not here, but I know he will be reading Hansard later tonight so he can refresh his memory about my remarks—that he is going to be shaking in his boots because our Conservative candidate, Stephanie Ball, is going to be bringing to the attention of those constituents the issues that have taken place in Durham and in Durham Centre and how the city tosses

Sunday shopping back to the province saying, “We don’t want it.”

I should not be neglectful. I quote from Oshawa-Whitby This Week: “Province Copped Out of Sunday Ruling.” I think they were supportive of the Liberals in the last election. With all due respect, if somebody sends my remarks off to Oshawa-Whitby This Week, maybe I will get a nasty letter saying it was not supportive, but I can remember a few editorials during election time. They said, “As hardworking a constituent person as Sam is, we have to say this time you have to vote Liberal, because that is the trend to take.” Suddenly, here they are with front-page headlines against Sunday shopping.

We are almost concluded in terms of our press concern. Lorrie Goldstein—I happened to run into him in the hall, and he said he was not too understanding, strangely enough, of some of my concerns yesterday during question period, but I said to him I have always enjoyed his remarks and his columns because they have always been objective. He does not particularly side with one party all the time; he takes whacks at everybody: “Grits Serving Up Sunday Chaos.” I like that word “chaos.” I can steal it from him, and that is the phrase I am going to use, “Sunday chaos.”

“Premier Won’t Change Our Minds on Sunday Shopping, Local Politicians Protest, But Opening Remains Up To Them.” Do members know where this is from? It is from the area where I went to law school, out in Kingston. It is from the Kingston Whig-Standard, from the riding of the member for Kingston and The Islands (Mr. Keyes), a gentleman, I have to admit, who was Minister of Correctional Services and Solicitor General when I was sole critic, back before the last election, of Correctional Services.

1650

I met many times with him and I think he did a very adequate job in the two portfolios he had. That is one of the sad cases, his having to be removed from his portfolio. Politics is a rough business, as I have been trying to explain to all the back-benchers.

He has qualifications that, in a lot of respects, I sure do not have. He has been a municipal councillor, has been teaching for years, has taught a special educational seminar for a year with the federal government in terms of the military college down there. Look at all the qualifications. Do members know what people in his home town say? That they are against Sunday shopping.

The Toronto Star—I like this one. Of course, it has been said from time to time that this

particular newspaper has been a little biased. Far be it from me to make that evaluation. What do I know about the press? I am just a humble little lawyer from Newcastle trying to reflect the concerns of my constituents in Durham East.

When I see this in the *Toronto Star*, I suddenly perk up, as I know all the Liberal members perked up when they saw it, because now they have had a little taste. They have been here almost a year, they have their riding offices going, and when they see that in the newspaper, they will know their staff are getting the onslaught of phone calls.

What did the *Toronto Star* say in February? "Ontario Refuses to Bend on Sunday Shopping. Clergy's Crusade on Sunday Shopping Gains Support." Here is a picture of the Archbishop Lewis Garnsworthy, who I mentioned happened to be having lunch over there at the Albany Club with my colleague the member for London North (Mrs. Cunningham) and my colleague who sits beside the member for Etobicoke-Humber (Mr. Henderson). We all had a good look at the archbishop and reflected about his concerns back in 1985, but it is interesting to see how he is now in terms of supporting us on the Sunday shopping bill, Bill 113. Do the members know who else is here? Emmett Cardinal Carter.

Those are people I sure do not want to tangle with in any terms, in any place and at any time. I have my forum here, if the members have not noticed, at Queen's Park, and they have their forum. In their forum it is a different area, in which they have an awful lot of influence. I can only say to the back-bench Liberals—because let's face it, cabinet solidarity has taken hold—they are not going to find even the Minister of Natural Resources (Mr. Kerrio), for whom I have nothing but great respect—he is just a little wayward on this piece of legislation, but even he is not going to vote against the bill. So I am turning to and pleading with the Liberal back-benchers. If they are going to take on these church leaders and all the businesses in their communities, they can kiss their ridings goodbye in the next election.

We are moving with great speed and rapidity. I want to bring to the members' attention the Report of the Ontario Progressive Conservative Task Force on Extended Shopping Hours. This was a very interesting endeavour by some of my former Conservative colleagues when this issue of Sunday shopping started to come to the fore over two years ago. I said, when the Liberal House leader was here, that he does not even have to follow this report. There is no need to. He

is going to be too embarrassed. I can understand that. He wants to show that he is a Liberal and they are going to do it the Liberal way. They do not have to follow the task force report.

I want to give some encouragement to our humble 17 members, and show that we were on the forefront of this issue. I want to tell the people at home to cast their minds way back to when we were the government. We lost the government to a coalition opportunity between the Liberal administration and the New Democratic Party administration. We were the opposition then and we set up this task force.

Here are some of the interesting comments of the PC task force:

"(1) The general principle of a common pause day should be maintained.

"(2) To provide clarification and simplification of the law, the government should consider amendments to the Retail Business Holidays Act."

That is, the government should retain here in Ontario, within its own purview, within its own jurisdiction, the particular amendments to the Sunday operating hours, not the copout that is taking place.

What was the comment of the Solicitor General about this legislation?

**Mr. Villeneuve:** The chicken way out.

**Mr. Cureatz:** I cannot believe she would say that. She has a little more culture than to say the chicken way out, but I will take the member's word for it.

I ask the minister, did she say it was the chicken way out? I want her to explain herself. If that is true—I find it hard to believe that she would even say such a thing when, in the most pressuring of times, she is always most dignified, controlled and calm. But if she called this legislation the chicken way out, we would like a further detailed explanation on that.

Do members know what else the PC task force had to say? They said:

"(a) Give effect to the genuine demand for additional pre-Christmas shopping hours by permitting Sunday shopping on some Sundays prior to Christmas.

"(b) Permit Sunday and holiday opening by those retail business establishments which offer books and records....

"(c) Provide a clear definition of the terms 'essential' and 'tourist industry,' and further, establish criteria for municipalities seeking to designate an area as a tourist area.

"(d) Permit shopping on Boxing Day....



"(3) No employee in a retail business establishment should be required, as a condition of employment, to work on an exempt Sunday or statutory holiday."

Of course, I know that the government is going to try to amend that in Bill 114 but in a much more articulate way than I can. The New Democratic Party has explained its concerns about Bill 114. They pride themselves on being leaders in the forefront of labour issues, and I will set aside my concerns about Bill 114 and let them carry the ball on that.

Those were the concerns of the Progressive Conservative Party of Ontario's task force on Sunday shopping hours. I say to the House leader, I say to the Treasurer (Mr. R. F. Nixon), I say to the Attorney General (Mr. Scott) and, last but not least, I say to the Premier and also to Hershell Ezrin that if they do not want to take a look at our task force on Sunday shopping, they have an easy way out.

I say to the people at home who are watching that they can understand that, as an opposition member, I should not be giving some kudos to the administration. I should not be helping them out. My job is as a member of Her Majesty's loyal opposition. The Queen has not called me lately, but I know she wants me to represent the concerns of a different view here in Ontario. The government knows how it can get out of it. We are close to it.

"Summary of Guiding Principle and Recommendations." From whom? "Your select committee on retail store hours adopts the following principle and makes the following recommendations."

My honourable colleague and friend the member for Stormont, Dundas and Glengarry (Mr. Villeneuve) has the more detailed aspects of that report. I have it all here except that, interestingly enough, he has the committee members who were on that committee, and there were some Liberals on that committee. The member has very kindly given this to me so I can bring it to members' attention now and he will refresh all their memories later.

Do members know what? This committee report is quite similar to the PC task force. Well, they dot a different t and put an apostrophe where the period should go and those kinds of things, but it is quite similar, so I will not, need I say, bore members with reading all the recommendations.

But do members know who sat on the committee? Ed Sargent. Well, Ed is not here so we cannot poke too much fun at him, and I had

great respect for Ed too for the number of years that he sat. The member for Lambton (Mr. Smith). Wait a minute. Who is that? Whose name is that there? That of the Solicitor General, who is bringing in this legislation. I ask the people at home whether they have ever in their life seen such a unique turn of events—if I can restrain myself, as the member for Brant-Haldimand (Mr. R. F. Nixon) used to say when he was in opposition—where the member for London South—now I did not know this. I really did not—sat on that committee.

Now this is just exasperating. I am exhilarated. I have been given new life for another hour. To think that the Solicitor General sat on the select committee. I want to hear her comments about this. I would even stay around to hear what she has to say. I want to hear her comments on her signing of the report of the select committee on retail store hours, when here she is now carrying this legislation, Bill 113, in complete effrontery to what was recommended and to what she no doubt signed her name to.

I can only assume that with her name being typed on, she indeed signed it some place, because the clerks all run around with the report and say, "Sign here and sign here." Notwithstanding that, even with her name typed on it, surely it is an embarrassment to the Solicitor General. I do not know how she can, in all honesty, sit in her place as calmly as she is.

1700

I even think she should be a little hysterical to think that she supported the select committee report when we had the minority government, when all of these back-benchers were not here and when the Liberals were trying to make a deal with the New Democratic Party. This was the sawoff. Now they have this majority and they are coming in with this piece of legislation.

To the Solicitor General, I would be worried back in London. She did not hear my comments about her red running shoes. She had better brush them off and get ready. She had better start going up and down the sidewalk knocking on those doors, trying to explain how she supported the all-committee report in the minority government, on the compromise on Sunday shopping being held within the provincial jurisdiction, and now she is bringing out this legislation, Bill 113, and giving it to the municipalities. How did she term that again?

**Mr. Villeneuve:** The chicken way out.

**Mr. Cureatz:** The "chicken way out" legislation. I have nothing but the highest regard for the Solicitor General, but she has to stoop this low,



and turn her philosophy about, just to remain in cabinet so that she can support the Premier (Mr. Peterson) and carry forward legislation which is going to be the demise of an awful lot of Liberal back-benchers.

I am going to have great fun at another point in time, after the next election. I still might be here. I might be over there. Who knows? God willing, I might be over there.

**Hon. Mr. Kerrio:** You might be up there, Sam.

**Mr. Ballinger:** You might be down below.

**Mr. Cureatz:** That is right. But if precedent is any indication, there is a good possibility that I will be here and will be reminding the Liberal administration about the faux pas of Bill 113 and how one simple piece of legislation caused the demise of the largest elected government in Ontario. Talk about up and down.

We are going to have some fun, I say to the people at home—now that it is five o'clock, and I am sure you have the burners going and the potatoes are boiling—because we are going to be travelling across Ontario, notwithstanding that, no doubt, the legislation is going to be passed. But with the assistance of my NDP colleagues, we are going to be travelling across Ontario.

Much to my chagrin, I will not necessarily be taking the lead on the committee. I know my colleague the member for London North will be contributing and playing a most important part on that committee. We are going to be touring places—some of which Liberals are from, no doubt—like Toronto, York, Mississauga, North York, Scarborough, Pickering, Oshawa, Bowmanville, out in my community, and Barrie.

There is a bunch of Liberals out from Durham now, so the New Democratic Party and I made sure that we hit the Durhams. We have the member for Durham West (Mrs. Stoner), the member for Durham-York and the member for Durham Centre. Three out of the five are Liberals.

We are going to allow people in the Durhams the opportunity to express their concerns about Bill 113, and I know the Liberal members of the Durhams are going to be there making their presentation to the committee as to why they are against the bill.

I will be looking forward to our travelling to other parts of Ontario, like Hamilton, Welland, St. Catharines, Brantford, Cambridge, London—for all the people in London, we will be there—Windsor, Woodstock, Stratford and Owen Sound.

To all of the Liberal members—and I can generally say “all of the Liberal members” because there are so many of them—we will be looking forward, when we hit their particular ridings in southwestern Ontario, to them making their presentations to the committee as to how they are in favour of Bill 113.

How about in eastern Ontario: Peterborough, Belleville, Kingston, Hawkesbury, Ottawa, Renfrew, Arnprior, Picton and Brockville—at one time, it was said, a great Tory bastion of support? There have been some inroads. I am the only Conservative member from, roughly, Markham to Kingston, not going quite as far as up to the riding of my colleague the member for Hastings-Peterborough (Mr. Pollock) but along the lakeshore—as a matter of fact, past that—to the riding of my honourable colleague the member for Stormont, Dundas and Glengarry (Mr. Villeneuve).

Eastern Ontario will appreciate our visit when all those groups from the Coalition Against Open Sunday Shopping that I read about to members start pouncing on the committee expressing their concern, shaking their finger at the Solicitor General, wondering how such a nice person could ever bring in such legislation; unless she sends out her parliamentary assistant, the member for St. Andrew-St. Patrick (Mr. Kanter). Of course, the people out in rural Ontario will understand how a Liberal city member could bring in such legislation and they will understand that next time around, they will be thinking about voting Conservative or NDP.

What about going to the north: Sudbury, Thunder Bay, North Bay? How do we miss the Sault? Is that on?

**Mr. Morin-Strom:** Should be.

**Mr. Cureatz:** I am sure it will be on. We will have a good tour of northern Ontario and we will be visiting all the various hotels and motels. Goodness, I have been on a few select committees, namely, energy. I have been on it for about 12 years now. When we do a tour, it is quite intensive, and it is going to be interesting to see the concerns people have.

I can see tears in all the members' eyes because I am about to conclude. I only want to conclude by quoting a very distinguished, reputable, forthright, sincere, slightly controversial member in these chambers for whom I have nothing but the greatest respect. I would like to quote myself, from Hansard on December 1, 1987, when the Solicitor General read her statement about Sunday shopping.



I was quick on my feet because the people who are really running the Conservative caucus over here in the front bench suddenly yelled back: "Sam, you are on. She has a statement." Suddenly I was on. I got the statement and I thought, "Holy crumbs, she's given it to me on a platter." I felt like going over and giving her a big kiss and saying, "Joan, thank you so much for this," but I did not.

**Hon. Mrs. Smith:** I have been waiting.

**Mr. Cureatz:** She is still waiting. There will come a time after the next election when she gets defeated on this legislation. That is when I am going to pucker up.

This is what I said: "Might I first congratulate the Solicitor General (Mrs. Smith) on at least coming forward with this statement. Over the last week to two weeks, we had a great deal of concern that possibly there was a lack of leadership on the front bench, albeit the second row"—where she sits—"in terms of the wavering description of Sunday openings."

I carried on: "I am concerned about the Solicitor General's statement because, although she has indeed gone through four or five pages of outlining the problem, all of which we know, she then comes up with a solution which, it grieves me to inform her,"—and I say again—"is no solution. As indicated by my new Democratic Party colleague, all she is doing is passing on the dollar to the municipalities." I would be interested if someone said the chicken way out. "It is interesting, notwithstanding the Solicitor General's statement, that on page 5 she goes on to say, 'Municipalities across Ontario will have an opportunity to consider their response and prepare for the change in the law.'"

This is really interesting because when she read the statement, do you know who was there, Mr. Speaker? The Minister of Natural Resources. He is quoted right here and he started to shout at me because I said that every municipality is going to be having its own description of what Sunday shopping is. He started to shout: "Yes, that's right. Allow the municipalities to do it." It is all right here.

Does the Minister of Natural Resources remember? And do members know what my response was then, as it is now? They are going to have, to use the word of Lorrie Goldstein, chaos across the province. I said that back in December, and here it is June, six months later, and I am still trying to convince the members. They are going to have chaos because the domino effect is going to take place.

I spoke to a retailer in Oshawa on Friday when I was going up to my colleague's fund-raising dinner in Simcoe West. My wife and I stopped off to buy a couple of little lamps, and the retailer said, "I voted Liberal last time, but I am not voting Liberal this time." I guess he was telling me he did not vote for me last time.

But he said: "I am not voting Liberal again. They brought in this Sunday shopping. If Toronto opens it up or Markham opens it up or Whitby opens it up, it means that Oshawa is going to have to open it up, and that means I am going to have to make adjustments to open my store up and I don't want to do that."

It is going to be an interesting summer on the select committee and, as the critic of the Solicitor General, it gives me a great deal of pride to have the opportunity to express some of my thoughts and concerns about this legislation.

1710

I know I have bored one or two of the members, but I know, in all sincerity, that they can appreciate the function we are here to perform, so that the opposition is allowed the chance of being heard and so that we allow, in committee as we tour the province, all the people I referred to to be heard about their concern and their little bit of disappointment after giving all of those Liberals such a large, massive majority, at their coming up with this legislation, which flies in the face of what the people of Ontario really want.

**Mr. Ballinger:** What we have just witnessed in this Legislature today is probably the most bizarre, exaggerated presentation that I have seen as a member since being elected in September.

**Mr. Cureatz:** Yes, six months.

**Mr. Ballinger:** That is fine. The National Hockey League has Eddie Shack, the NBC has David Letterman, the House of Commons has the Honourable John Crosbie and we in the Legislature, whom do we have? The member for Durham East, Sam Cureatz, the entertainer.

The unfortunate problem with this for the members on this side of the House, the government side, is that we have to sit here and listen to what we consider to be the most bizarre exploitation of a bill that is currently before the Legislature. The average citizens out there will be relying, I know and I trust, on their own members in their own ridings to explain the wherewithal of this bill that is currently before the Legislature.

It was really interesting. Last night I attended a ratepayers' meeting in Pepperlaw, Ontario, in my riding.



**Mr. Morin-Strom:** I bet they're mad at you.

**Mr. Ballinger:** Not at all; on the contrary. What happened there was a very interesting discussion about several pieces of legislation that we have dealt with in this Legislature, the two most controversial, of course, being the budget and this particular piece of legislation, Bill 113.

It really is interesting to talk to the average citizen, who is not being exploited and not being pushed and not being maligned to understand something that is not there. The real issue in this particular piece of legislation is where we came from and where we are going. This piece of legislation is solid.

The unfortunate thing is that we on the government side have to sit here and listen to the opposition tell the people out there something that is simply not there at all.

**Mr. McLean:** I just wanted to comment briefly on the comments made by the member for Durham East.

**Mr. Mahoney:** You weren't here.

**Mr. McLean:** I listened to most of it on the television, and I tell you, when you sit back and observe some of the comments that were made, especially with regard to the committees that have done the studies across the province, it really is an indication of what has taken place here with Bill 113.

I think the member spoke very wisely when he indicated the problem that had existed. The committee brought in the report, which was unanimous, and indicated that Sunday shopping was an issue where the people wanted a common pause day. The member for Durham East very clearly indicated the feeling of the people across the province. I have done questionnaires, as he and other members have, which clearly indicate where the issue is.

The last member who just spoke for his two minutes really indicated to me that he is not aware of what is in the legislation. He says it is a problem for him to sit here and to listen to what is going on. I have say to him it really is a delight that he is going to gain some knowledge in his first six months as a member of the Legislature. I just believe that the people across the province have had the opportunity to observe the actions, the emotions and the way it was so delightfully put to the people who really want to know what is taking place with Bill 113. I commend him for his excellent presentation.

**Mr. Fleet:** Unfortunately, unlike the member for Simcoe East who was listening on television, we did not have the opportunity here to turn down

the sound when the member for Durham East was speaking. When the member for Durham East was speaking, he was really very unfair to the Solicitor General and very unfair to this government when he suggested that somehow there was something in this committee report that was overlooked by the government.

The fact of the matter is, and the member well knows it—at least, he would if he read it carefully—that the report was premised on a definition of a tourist exemption somehow being dreamed up by somebody, and the hypocrisy frankly that comes out repeatedly from the opposition parties—and this is a point I made earlier this week to a member from the New Democratic Party when he spoke—is that not one of them has the courage or the honesty, apparently, to come forward and say he does not have any better idea about how to deal with that definition. None of them has brought forward a definition at all. In fact, no critic anywhere, whether in the Legislature or not—

**Mr. McLean:** On a point of order, Mr. Speaker: My point of order is very clear. The member has indicated that there was dishonesty here. I think he should withdraw the remarks, because I know that all honourable members in this Legislature are honest.

**Mr. Speaker:** I do not want to take up the member's time. However, I am sure the honourable member is aware of the standing order which states clearly that a member must distinctly accuse a member of uttering a deliberate falsehood. I listened carefully. It was close, and I know the member will be careful with his comments from here on in.

**Mr. Fleet:** I will go further, Mr. Speaker. I am quite prepared to indicate that there is no intention to say that there was any moral dishonesty on the part of the honourable members, just that they cannot tell a straight story. The bottom line is that the opposition has never brought forward a consistent explanation. They have not produced anything any better. All they can do is carp from the other side.

**Mr. Morin-Strom:** I would like to commend the member for Durham East for his insightful comments. As usual, the member provides one of the more entertaining presentations during his remarks to the Legislature, and I am sure all of the audience who were watching us on television enjoyed the presentation.

The points he made particularly hit home with the Liberal back-bench members. I think that is why we get some of the comments from those back-bench members, who feel so vulnerable



when they are sitting there, the trained seals he talks about, not representing their own constituents, not reflecting the interests that they know they are hearing from their constituents in their particular ridings. Today we had one of the members over on the other side read into the record a petition in opposition to this legislation being brought forward by his own party, but we still see the trained seals following the party line on this particular bill.

I would like to commend the member for pointing out, as he has done in the past, the obligation of members and the interest that members should take in reflecting the true concerns of their own constituents. If the new Liberal members did so, they might have a far better chance of holding onto their seats the next time around.

**Mr. Speaker:** With 29 seconds left, the member for Muskoka-Georgian Bay.

**Mr. Black:** I would like to set the record straight. I think two opposition members have now made reference to my reading of a petition. Once again, and I wish they would listen carefully, the petition was in opposition to wide-open Sunday shopping. Many people in this House are opposed to wide-open Sunday shopping, but this legislation does not deal with wide-open shopping. Those members know it very well and it is time they told the truth about it.

Interjections.

**Mr. Speaker:** I wonder if the member for London North would just control herself. I would ask the member for Durham East, do you wish to—

**Mr. Cureatz:** Could we start at two minutes again? I think it is only appropriate, now that the time has run.

I just want to say that I have indeed had the opportunity of speaking from time to time in these chambers, and yes, I have to confess, we try to make it a little entertaining for all of us who are here and for the people at home. Listen, if we get the point across in no matter which unique way we do it, then we have done our job. That is how I look at representing, first, my constituents and, second, the people of Ontario.

The interesting thing, though, to the member for Durham-York—and I want to remind all my colleagues here and the people at home—is that he said, “What a bizarre speech and presentation.” I want to say to the member for Durham-York that if he thinks it is bizarre when I quoted from the clergy, Lewis Garnsworthy and Emmett Cardinal Carter; women’s organizations; retail shop-

pers and consumers; parent groups; the Association of Municipalities of Ontario; the select committee—I could go back to the list and I could spend the next hour and a half—if he thinks that is bizarre, then let him tramp around in 1991, during the next election campaign, where they have not had a Liberal in years and they are not going to have another one in years because of their position on Bill 113.

1720

If he thinks it is not bizarre to disrupt family life on Sunday, if he thinks it is bizarre to carry on in complaining about this issue and the tax grab budget that has taken place, well, we will not have to worry much longer about the member of Durham-York sitting here. In 1991 we will be reminding all the people, as my job is, about all the other Liberal back-benchers, where they stood on Bill 113 and how he thought it was bizarre to quote these groups in Ontario speaking out about the legislation—

**Mr. Speaker:** The member’s time has expired. Are there any other members wishing to participate in the debate?

**Mr. Mahoney:** I found it interesting to have the former speaker following the member for Welland-Thorold, who made his final speech in the House today. I also found it interesting, in beginning the comments on Bill 113, how the member from Durham East said he would now carry on the torch. I am sure it causes a great deal of concern to someone of the character of the member for Welland-Thorold, not to mention the concern of his caucus, to think that that member is going to carry on the torch that the member for Welland-Thorold has carried for 13 years in this Legislature.

I find it awfully presumptuous, whether it is on Bill 113 or any other issue, that any member in this House would purport to be able to carry on that torch which has been held so high and kept so brightly lit by the member for Welland-Thorold. Just in passing, on behalf of the back bench, which takes a lot of beating from certain members opposite, I would like to congratulate that member for Welland-Thorold for a wonderful speech and a great career in this House.

With regard to some of the comments made by the member for Durham East on Bill 113, I enjoyed his speech yesterday substantially more, because I was in my office and I could put the television on mute. I always find it interesting when someone goes to the trouble to quote himself in a speech. I can only presume that talking to himself is the only way he gets the answers he wants to hear.



It is unfortunate that the member for Sault Ste. Marie has left the chamber, because the member represents—oh, he is still here; my apologies—my home town, a wonderful city, where the residents of Sault Ste. Marie and their council are currently experimenting with a rather interesting bylaw. I would just like to read the information.

**Mr. Ballinger:** He is not listening.

**Mr. Mahoney:** The people in the Sault are listening, if the member is not.

"In the city of Sault Ste. Marie, a bylaw was passed in August 1987 to permit for one year all retailers within the city of Sault Ste. Marie to open for all holidays named in the Retail Business Holidays Act except for Easter Sunday. This bylaw is renewable in September 1988."

To sit in this Legislature and hear members here being accused of not representing their constituents I find a bit of a double-edged sword. I got confused and had difficulty understanding it. I wonder if the member for Sault Ste. Marie is truly representing his constituents when their city council indeed has enacted a bylaw that allows wide-open Sunday shopping. It says, "all stores within the city limits." It allows wide-open Sunday shopping.

**Mr. Morin-Strom:** On a point of order, Mr. Speaker: I believe this member is making accusations against my community, which has found the existing legislation fine.

**Mr. Speaker:** I would remind the member that that is not a point of order.

Interjections.

**Mr. Speaker:** Members have an opportunity to state their views following a member's speech.

**Mr. Cureatz:** Mr. Speaker, on a point of order: I am wondering if there is a quorum present.

**Mr. Speaker:** I would ask the table to ascertain if there is a quorum present. There is not a quorum.

Mr. Speaker ordered the bells rung.

1727

**Mr. Mahoney:** I would like to be clear on my comments, though, about members representing their constituents and representing the community, because there have been many accusations made by the member for Durham East, the member for Sault Ste. Marie (Mr. Morin-Strom) and other people in this House that we in the Liberal Party are not representing the concerns of our constituents. I think that is utter nonsense and the members know it.

Quite clearly there are examples, one of which I have just cited, where a member is ignoring the wishes of his constituents. But I have sat here, as have other members, for the past week or so and listened to the comments from both sides of the House, and the comments on both sides of the House are pretty well the same; they are mirrored. In fact, I find that both opposition parties seem to be in a rut. The only difference between a grave and a rut is the depth, and I would suggest that they are in a rut because they are going over the same old stuff and they are operating on the principle that if you repeat something often enough, people will believe it.

Well, if you repeat something often enough, the press will print it. In fact, I found it very interesting that the member for Durham East was reading headlines. He did not bother to read the body of any of the newspaper articles, because they have in many cases given a different message. In fact, there have been editorials right across this province supporting Bill 113, supporting the principle of local option, because who knows his community better than the people who are elected at the local level to represent it?

With respect, there are two issues in this debate that I think we have to deal with. One is the issue of Sunday shopping; the other is the issue of Bill 113. I respectfully suggest that they are different issues.

Bill 113 is not a wide-open Sunday shopping piece of legislation. In fact, quite the contrary, it is a Sunday closing piece of legislation. If you analyse the present legislation, it says, paraphrased and in essence, that no stores in Ontario shall open on Sunday unless they have an exemption, and it lists a number of exemptions. Those exemptions relate to square footage and to the number of employees. They also relate, very interestingly, to an option by the local council through a regional council, if regional government exists, an option that it has to allow a store, a group of stores, a particular community, a section of the community, a plaza or all of the above to open on Sunday if that regional municipality wishes to pass such a bylaw allowing that to happen. That is the existing legislation before Bill 113 takes effect.

The new legislation under Bill 113, interestingly enough, says in very, very similar terms that no store in Ontario shall be allowed to open unless it has an exemption. The exemptions relate to square footage, different square footage than under the existing law. They do not relate to the number of employees. They do not require roping off or putting a milk carton in an aisle to



stop people from going down. They are simpler, they are more enforceable, they are clearer and they are more understandable by the public.

There is also, in a very similar fashion, an exemption whereby a local or regional municipality, where a region exists, may pass a bylaw or a resolution allowing a store, a group of stores, a community, a business improvement area or the entire city to open on Sundays.

I ask, what is the difference? What is all the fuss about? The difference is that under the existing law, the local or regional municipality must say, "That particular store is a tourist attraction, by a definition that only we understand, being the council, and therefore we are going to allow it to open." Under the new law, that council need not justify to anyone that it is a tourist attraction or is not a tourist attraction.

I would like to give some examples. The question comes from the opposition, why are we changing the law? If in fact they are open, as they are in Sault Ste. Marie and many other parts of this province, why are we changing the law? Well, some of the exemptions have been abuses that should not, frankly, be tolerated because they are not understood.

I see the member for London North (Mrs. Cunningham) is finally vacating her seat, after suffering through an hour and 15 minutes of abuse and paper-waving from her seatmate. I knew the day she came into this House she would rue the day that the honourable leader of that party chose that seat selection. I am sure she is now beginning to realize what a purgatory it is to be put on the back bench. She has finally had enough and she is leaving. I do not blame her. I think she needs a break. In fact, she has to go and get all the marks off the side of her head from being hit by her seatmate.

Let me talk about some of the amendments that have taken place, just to prove how ludicrous the existing law is and how fair and enforceable and understandable Bill 113 will make this situation.

In my own community—in fact, when I was a member of regional council, and I would add, by the way, it was at a time when the member for Mississauga South (Mrs. Marland) was also a member of regional council—we dealt with the issue of the Malton fruit market. The Malton fruit market people came before us and said: "We think we are a tourist attraction. We should be allowed to open on Sunday all year long." They justified that plea. They said they had people coming from upstate New York and from as far away as Michigan. They were even coming to the Malton fruit market from Uxbridge. There was

no question that they were tourists in coming from Uxbridge, because they were trying to escape from the former mayor of Uxbridge at that time.

In any event, the Malton fruit market people came forward and said, "We would like to open on Sundays; would you please grant that?" We had a vote. Council voted very strongly in favour of allowing the Malton fruit market to open on Sundays all year long.

**Mr. Black:** How did the member for Mississauga South vote?

**Mr. Mahoney:** Thank you for the intro. It is nice to have a straightman in the audience.

I have to be honest and say that I suspect the member for Mississauga South voted against that particular opening, because the member for Mississauga South has been resolute in her opposition to any kind of Sunday shopping.

That is not to say that because you support Bill 113, you support wide-open Sunday shopping. In fact, if you understand the bill, as I have said before, it is a Sunday closing bill; it is not a Sunday opening bill. It is a fraud that has been perpetrated upon the taxpayers of this province—I will not say by whom or I would have to withdraw the comment—but clearly the information being let out to the taxpayers is fraudulent; it is misinformation.

Let's go back to the Malton fruit market. The fruit market people asked if they could be allowed to open. We said yes, as a regional council. We were honouring the wishes of the people in the Malton community, it was our feeling, and we felt justified. The local councillor supported them. Frank McKechnie has been the councillor there for 26 and I do not think he has lost an election because of Sunday shopping. I think maybe the member is misreading the temperature, misunderstanding the issue and not paying attention to his own constituents, with all due respect.

We allowed the Malton fruit market to open. There was a challenge in the courts. The courts ruled that the council had erred on some technicality and sent it back. Council had to vote on it again. This was the second kick at the cat. We had people before us saying: "Don't allow it to open. We don't want it to sell its melons, oranges and bananas on Sunday." But we allowed it to open.

**Mr. Ballinger:** Again.

**Mr. Mahoney:** Again. I wish The member for Durham-York would go and sit over there beside the other guy from Durham, the member for

Durham East, and leave me alone. I am doing just fine without the support from my colleagues.

We allowed, for the second time, the Malton fruit market to open on Sundays. Guess what? It is open on Sundays. This Sunday, my friend can go there and do his shopping—this Sunday, next Sunday, any Sunday he wants. Does the member for Durham East want me to show him where it is? Let him give me a call and I will give him a tour of Mississauga. I know he used to live there, but it has changed a lot; it is a big city now.

We had another group of people come before us at that same august body, Peel regional council. I might add that many of the members of the council voted in favour of the Malton fruit market opening. With respect, and they are my colleagues and friends, many of those same people are now saying, “Don’t give us Sunday shopping.” I have talked to them. I have gone to the council. I have appeared in front of city council, and I have listened as they criticized the government and I have tried to understand where they are coming from. They do not want wide-open Sunday in Mississauga. Do the members know what? I support that. If they do not want it, it is their right to say no. Under this law, it will be their right to say no. What do they have to do in order to achieve the goal they want, which is not to allow wide-open Sunday shopping?

**Hon. Mr. Kerrio:** Nothing.

**Mr. Mahoney:** Thank you. The honourable minister has given me the answer and he is absolutely right and astute; they have to do nothing.

**Mr. Cureatz:** On a point of order, Mr. Speaker: I just want to explain to the people of Ontario that, as committed as the member is to this piece of legislation, there is not a quorum in the House for him to convince anyone of it.

The Deputy Speaker ordered the bells rung.

1738

**Clerk of the House:** There is a quorum present.

**Mr. Mahoney:** The member for Durham East took away about 35 seconds, which I know he is relishing, even though I did not do it to him, but I appreciate that; we will live to fight another day.

The next item that came before us at regional council—and it is important to explain the history of this to you, Mr. Speaker—was the Port Credit business improvement area. Let me explain where Port Credit is. Port Credit happens to be in Mississauga South. The Mississauga South

provincial riding association is the location of the Port Credit business improvement area.

It came before regional council saying: “Mr. Chairman and members of regional council, would you allow us to open on Sundays? You allowed Malton fruit market to open.”

I notice the member for Durham East is running to the hills.

**Mr. McCague:** He is running someplace else.

**Mr. Mahoney:** He has to go? I am sorry. I did not mean to get personal.

**An hon. member:** Tell him to come back.

**Mr. Mahoney:** No. I am happy that he does not come back. He is going to go and watch it on TV like I did, and probably put it on mute, so that is fair game.

The Port Credit business improvement area people came before us and said: “We would like equal treatment. We would like to be allowed to open on Sundays.”

**Mr. Black:** This is from Mississauga South.

**Mr. Mahoney:** This is from the community, the provincial riding area known as Mississauga South. That regional council, a body which I served on at that time—and so did the member for Mississauga South—agreed with the request.

With respect, I cannot honestly say whether or not the member for Mississauga South voted in favour of that particular issue. She has always been known to support her constituents’ requests, but I am not clear and I am not sure. I must say, as I said earlier, that the member has always shown a dedication to being opposed to Sunday shopping. So I am going to assume that she voted against her constituents’ wishes at that time to allow Sunday shopping.

However, the council, in its wisdom, thought it made sense, and let me tell the members why. Again, they used the tourist exemption clause in the existing legislation to allow the Port Credit business improvement area to open on Sunday. I supported that on the basis that the salmon hunt is a tourist attraction in our community.

Now we have other business improvement areas in our community. We have the Streetsville BIA, we have the Clarkson BIA, and I have been told on pretty good authority—by a member of council, as a matter of fact—that the Streetsville BIA would like to open on certain Sundays during the year; maybe not every Sunday, but it would like to open on certain Sundays for the purpose of attracting tourists, for the purpose of servicing the Bread and Honey Festival, one of the finest festivals in this province, which went on just two weeks ago in that community.



The Streetsville BIA would like to open, so now it will simply have to go to council and say, "Madam mayor and members of council, we would like your permission to open three or four or ten Sundays a year," whatever it happens to be. Under Bill 113, the council will not have to play any games. Unlike what they have to do now, they will not have to play any games and say: "Gee, is this a tourist area? Maybe it is; maybe it isn't."

They will not have to worry about that. They will simply be able to make a decision that is in the best interest of their constituents, and their constituents, with respect, are the ones who know what is best for them. The council and the mayor will simply have the opportunity to do that.

So in the great city of Mississauga, we have the Malton fruit market and the Port Credit BIA open on Sundays. Now comes a very interesting example.

Many members may know that we built a rather dynamic, exciting new civic centre in Mississauga. The member for Durham-York (Mr. Ballinger) called it a factory, and I thought that was rather unfair because it is a dynamic, exciting civic centre.

We also had the very good fortune of having royalty. We had Prince Andrew and his lovely wife, Fergie—I should not call her Fergie, should I? We had the Duke and Duchess of York in attendance to open our new civic centre. To the member for Etobicoke West (Mrs. LeBourdais), is that better?

**Mr. Cureatz:** Did they shop at the Malton fruit market on Sunday?

**Mr. Mahoney:** The member for Durham East would not have known how to behave. It was a very grand weekend. It was a wonderful event. There was a huge parade. There were tens of thousands of people on the front lawn and lining the route where the duke and duchess approached the new civic centre. I believe it was on July 18, the Duke and Duchess of York opened our civic centre. Council, led by the mayor, passed a resolution, which I supported and would support again, to declare not just the Malton fruit market, not just the Port Credit business improvement area, but the entire city of Mississauga open for shopping on Sunday, July 19.

**An hon. member:** The whole Sunday?

**Mr. Mahoney:** The whole Sunday.

**An hon. member:** The whole city?

**Mr. Mahoney:** The whole city.

Interjections.

**The Deputy Speaker:** Order.

**Mr. Mahoney:** There is some disruption going on in the House, Mr. Speaker.

**Mr. Cureatz:** Point of order, Mr. Speaker: I am wondering if we have a quorum.

The Deputy Speaker ordered the bells rung.

1745

**The Deputy Speaker:** The member for Mississauga West may continue.

**Mr. Mahoney:** I am very appreciative of the fact that the member for Durham East is the only Progressive Conservative in the House and is holding down the fort for his party. I appreciate the fact that even though he is alone over there, he is there and he is calling a quorum on this extremely important issue. I appreciate it if for no other reason than it gets me an audience fast. I thank him for that.

I would like to go back to my example. My example was that we declared not just the Malton fruit market, not just the Port Credit business improvement area, but the entire city of Mississauga wide open for shopping on Sunday, July 19.

The rationale was simple. The Duke and Duchess of York were in attendance. It was probably the most significant opening of the most significant building in the history of our relatively young city, and we felt that we would be attracting tourists. We felt we would have people coming from all over the greater Metropolitan Toronto area and perhaps from the Niagara Peninsula to see the duke and duchess and to see this wonderful structure, this wonderful piece of architecture that has been acclaimed internationally as an outstanding success.

We thought, "Well, if we're going to have all of these people coming to our wonderful city, it would only make sense to open up Square One, for example, to open up the Streetsville business improvement area, to open up the areas along Burnhamthorpe Road to allow our merchants an opportunity to capitalize on this very successful day and weekend."

My point in all of this is that under the present legislation we were allowed, as a local community, to make that decision. We had to go to the regional municipality of Peel to get it to agree, but it is not usual that the regional government in Peel would turn down the request of one of its member municipalities when the impact is solely within the boundaries of that member municipality, and they agreed with us. We had the Brampton members and the Caledon members

and the Mississauga members all voting, and I cannot tell you whether or not it was unanimous at that particular time. I suspect it was, however, and it was just a formality.

But we had to play a bit of a game. We had to identify it as a tourist attraction and justify it. We did not know who we were justifying it to, because there was no appeal process. You could not go to the province and say: "These guys in Mississauga just declared themselves a tourist area and I don't think they are." You could not come from Durham and say: "I don't think they are a tourist area." They would tell you to get lost, to mind your own business and to go back and run the business of your own local community.

That is exactly, precisely, accurately, without question what Bill 113 will do. It will allow each local municipality the right, without having to hide behind any kind of a shell game about whether or not it is a tourist attraction, to open on Sunday.

I ask again, if the honourable members are listening, what does the municipality have to do to prevent wide-open Sunday shopping in its municipality? The answer came, nothing.

If they do absolutely nothing, then Bill 113 says that no stores in this province will open unless they have an exemption, and if they do not get the local municipal exemption—and members of the opposition know it as well as I know it, but they do not want to tell the people that because that does not suit their political game. That does not suit the agenda they have set to mislead the population in this province with nonsense about wide-open Sunday shopping. Rather, it suits the political agenda of members of the opposition to confuse the public, to tell them that this party, this government, is in favour of wide-open Sunday shopping.

We have never said that. We are putting clear-cut guidelines in place that will allow Sault St. Marie to open on Sunday if indeed that is what it wants to do; that will allow Oshawa to open if that is what it wants to do.

**Mr. Cureatz:** Cardinal Carter is on your phone, Steve. Explain it to him.

**Mr. Mahoney:** The cardinal probably would not be on your phone in any event.

1750

I want to talk about the domino effect, because one of the honourable members earlier mentioned the problem with the domino effect. Again, a shell game; again, nonsense, misleading intentionally just to make political points. The domino effect—

**The Deputy Speaker:** Order, please. I deem this language to be unparliamentary.

**Mr. Mahoney:** I withdraw the word "misleading" as it applies directly to the opposition. Thank you, Mr. Speaker.

**The Deputy Speaker:** Do you withdraw the word?

**Mr. Mahoney:** Yes.

**The Deputy Speaker:** Thank you.

**Mr. Mahoney:** I would say they are confusing the public, however, in leading the public to believe that this government is in support of wide-open Sunday shopping when, in fact, we are not in support of that at all. What we are in support of is giving the authority to make that decision to the local community, to the local council.

I started to speak a little about the domino effect. Everyone says that if North York decides to open on Sunday, the dominoes will fall and everyone else will thereby open on Sunday. Let me take members back to the present legislation. It says that if you declare your municipality, all of it, a tourist attraction, you are allowed to open on Sunday.

Mel Lastman, the mayor of North York, was going to do that, in fact. I would suggest to members that if the mayor of North York put through a resolution—although they also fail to tell the public that he would have needed Metro council's approval to do that, because that is the body which is charged with the right to make that decision. One of the former members of Metro council might correct me, but it is my understanding that Metro council is not in favour, and there have been numerous debates not in favour of wide-open Sunday shopping. In fact, it is not even in favour of asking its own voters how they feel. It recently turned that down. I find that a little disconcerting.

The existing legislation would clearly allow for the domino effect to take place; no doubt about it. If North York is a tourist attraction, you cannot tell me that Scarborough is not a tourist attraction. The member for Scarborough-Agincourt (Mr. Phillips), I am sure, would agree. And if Scarborough is a tourist attraction, you cannot tell me that the borough of York is not a tourist attraction. Of course it would be a tourist attraction, equally as justifiable.

**Mr. Cureatz:** Or Uxbridge.

**Mr. Mahoney:** Uxbridge clearly is a tourist attraction.

**Mr. Cureatz:** They go to see the provincial member.



**Mr. Mahoney:** That is right. They go to see the former mayor. Definitely. In fact, they set up a little site on the road on Sundays and he sits there and waves at them, I can tell members from personal experience. It is a wonderful experience, I might add; the people in Uxbridge have a wonderful time with their ex-mayor.

So the domino effect could occur. Mr. Speaker, is the Eaton Centre a tourist attraction? You're darned tootin' it is. And the council in the city of Toronto, with the co-operation of the Metro council, should be able to make a decision to open. That is exactly what Bill 113 will allow them to do and that is exactly what the members opposite are opposed to.

I am confused. I do not understand how they can go on both sides of the issue.

**Mr. Cureatz:** I agree with you there. You really are confused.

**Mr. Mahoney:** He agrees. I thought he might.

If all of these wonderful municipalities and these wonderful communities in this greater Metropolitan Toronto area are tourist attractions, I can assure members that the city of Mississauga would be classed a tourist attraction, and one of the finest. So why do we have to play games?

The other side of the coin is that if they do not want to open on Sunday, under Bill 113 they have to do absolutely nothing. Metro council, York regional council, all of these people have to do nothing. They do not need to pass a resolution saying, "You can't open on Sunday." They do not need to pass a resolution designating certain areas of the city as having to be closed on Sunday or allowed to be open. They have to do absolutely nothing. It clearly, then, is their choice.

I would like to do a little bit of a walkabout as well.

**Mr. Ballinger:** Are you leaving now?

**Mr. Mahoney:** No, I am not leaving now, but I would like to take members along Walkabout Creek, through this wonderful, glorious province of Ontario, and just tell them some of the research I have been able to compile, with the assistance of my staff, on where we have existing tourist exemptions in Ontario. It is fascinating reading, and what I will do is I will make a copy available for the member for Durham East for his bedtime reading this evening, if he can stay awake long enough. I know he is getting old.

The first area I have already mentioned, my home town, Sault Ste. Marie, a wonderful community, with a wide-open Sunday for all stores, represented by a member of the New Democratic Party.

**Mr. Polsinelli:** Is that now?

**Mr. Mahoney:** The honourable member asked if that is now. That is now—existing wide-open Sunday. I have several aunts and uncles who go shopping every Sunday in Sault Ste. Marie and enjoy it quite a bit.

**Mr. Polsinelli:** Under the existing legislation?

**Mr. Mahoney:** Yes, under the existing legislation. If the member watches my lips, he will probably find this easier to understand.

**Mr. Hampton:** On a point of order, Mr. Speaker: I do not believe there is a quorum and we should not have to listen to this if there is no quorum.

The Deputy Speaker ordered the bells rung.

1757

**Mr. Mahoney:** I am also pleased to note that it is interesting that the member for Rainy River (Mr. Hampton) should actually be the one to call a quorum. I know why he did that. Because the next area that I was going to mention happened to be—

**Hon. Mr. Kerrio:** Rainy River.

**Mr. Mahoney:** —Rainy River. One store in Atikokan, in the honourable member's riding, has an exemption. That is represented by the honourable member from the New Democratic Party, from the opposition. Can members imagine?

Some honourable member just said there are only two stores there. We know that is not true. Atikokan is a wonderful community in a wonderful part of this province, again represented by an NDP member, and yet it has an exemption. Is he listening to his constituents? I do not think so. His constituents seem to want an exemption.

Let me take members on this little walk along Walkabout Creek and talk about the district of Nipissing.

**Hon. Mrs. Smith:** The member is not here.

**Mr. Mahoney:** The member is not here, and I understand you are not allowed to refer to a member who is not here in the House, so I will not. However, in the district of Nipissing, represented by a Progressive Conservative who is so adamantly opposed to Bill 113, to Sunday shopping, since 1976 any retailer in the township of Temagami may open on any holiday. Again, I do not understand his not listening to his constituents. I can only assume that he does not understand what they are saying and that his opposition to this Bill 113 is based on rote, rather than understanding.

Members opposite talk about the back-benchers being seals. Members opposite have written up a policy to oppose Bill 113. It does not matter if the bill is good, it does not matter if their opposition is right or wrong, they are going to oppose it, no matter what. Clearly, they are not listening to their constituents.

Let me carry on. In the district of Parry Sound, in the town of Parry Sound all retail businesses may open on Victoria Day and Canada Day, a minor amendment, a minor change, clearly done, however, at the wish of the local community. Again, that is a Progressive Conservative community. They are not listening to their constituents.

This one is amazing. I was astounded to read this one. In the county of Leeds-Grenville, in the village of Athens all retail stores may open from the Sunday preceding Victoria Day to the Sunday preceding Labour Day from 6 p.m. and on Victoria Day, Canada Day and Labour Day. Members opposite want to talk about confusing. Imagine people saying: "What day is this,

honey? I don't know if we can go shopping or not. We had better phone our member of provincial parliament and find out if the stores are open."

What kind of nonsense is that? Is he listening to his constituents? I suggest he is not.

Here is an interesting one too. I am almost out of time I understand, but this one I have to end with. I will do like the member for Durham East to maybe pick up at the end when the debate resumes. The united counties of Stormont, Dundas and Glengarry, the village of Morrisburg stores can open—again only a minor amendment, but it is an amendment—on Canada Day. They are allowed to open at the will of the local community.

PCs, Progressive Conservatives, you are not listening. Do not tell us we are not listening. You are not listening.

On motion by Mr. Mahoney, the debate was adjourned.

The House adjourned at 6 p.m.



**ALPHABETICAL LIST OF MEMBERS\***  
(130 seats)

First Session, 34th Parliament

**Lieutenant Governor: Hon. Lincoln M. Alexander, PC, QC**

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|---|--|
| <p>Adams, Peter (Peterborough L)<br/>           Allen, Richard (Hamilton West NDP)<br/>           Ballinger, William G. (Durham-York L)<br/>           Beer, Charles (York North L)<br/>           Black, Kenneth H. (Muskoka-Georgian Bay L)<br/>           Bossy, Maurice L. (Chatham-Kent L)<br/> <b>Bradley, Hon. James J.</b>, Minister of the Environment (St. Catharines L)<br/>           Brandt, Andrew S. (Sarnia PC)<br/>           Breaugh, Michael J. (Oshawa NDP)<br/>           Brown, Michael A. (Algoma-Manitoulin L)<br/>           Bryden, Marion (Beaches-Woodbine NDP)<br/>           Callahan, Robert V. (Brampton South L)<br/>           Campbell, Sterling (Sudbury L)<br/> <b>Caplan, Hon. Elinor</b>, Minister of Health (Oriole L)<br/>           Carrothers, Douglas A. (Oakville South L)<br/>           Charlton, Brian A. (Hamilton Mountain NDP)<br/>           Chiarelli, Robert (Ottawa West L)<br/>           Cleary, John C. (Cornwall L)<br/>           Collins, Shirley (Wentworth East L)<br/> <b>Conway, Hon. Sean G.</b>, Minister of Mines (Renfrew North L)<br/>           Cooke, David R. (Kitchener L)<br/>           Cooke, David S. (Windsor-Riverside NDP)<br/>           Cordiano, Joseph (Lawrence L)<br/>           Cousens, W. Donald (Markham PC)<br/>           Cunningham, Dianne E. (London North PC)<br/>           Cureatz, Sam L. (Durham East PC)<br/> <b>Curling, Hon. Alvin</b>, Minister of Skills Development (Scarborough North L)<br/>           Daigeler, Hans (Nepean L)<br/>           Dietsch, Michael M. (St. Catharines-Brock L)<br/> <b>Eakins, Hon. John F.</b>, Minister of Municipal Affairs (Victoria-Haliburton L)<br/> <b>Edighoffer, Hon. Hugh A.</b>, Speaker (Perth L)<br/>           Elliot, R. Walter (Halton North L)<br/> <b>Elston, Hon. Murray J.</b>, Chairman of the Management Board of Cabinet (Bruce L)<br/>           Epp, Herbert A. (Waterloo North L)<br/>           Eves, Ernie L. (Parry Sound PC)<br/>           Farnan, Michael (Cambridge NDP)<br/>           Faubert, Frank (Scarborough-Ellesmere L)<br/>           Fawcett, Joan M. (Northumberland L)<br/>           Ferraro, Rick E. (Guelph L)<br/>           Fleet, David (High Park-Swansea L)</p> | <p><b>Fontaine, Hon. René</b>, Minister of Northern Development (Cochrane North L)<br/> <b>Fulton, Hon. Ed</b>, Minister of Transportation (Scarborough East L)<br/>           Furlong, Allan W. (Durham Centre L)<br/> <b>Grandmaitre, Hon. Bernard C.</b>, Minister of Revenue (Ottawa East L)<br/>           Grier, Ruth A. (Etobicoke-Lakeshore NDP)<br/>           Haggerty, Ray (Niagara South L)<br/>           Hampton, Howard (Rainy River NDP)<br/>           Harris, Michael D. (Nipissing PC)<br/>           Hart, Christine E. (York East L)<br/>           Henderson, D. James (Etobicoke-Humber L)<br/> <b>Hošek, Hon. Chaviva</b>, Minister of Housing (Oakwood L)<br/>           Jackson, Cameron (Burlington South PC)<br/>           Johnson, Jack (Wellington PC)<br/>           Johnston, Richard F. (Scarborough West NDP)<br/>           Kanter, Ron (St. Andrew-St. Patrick L)<br/> <b>Kerrio, Hon. Vincent G.</b>, Minister of Natural Resources (Niagara Falls L)<br/>           Keyes, Kenneth A. (Kingston and The Islands L)<br/>           Kozyra, Taras B. (Port Arthur L)<br/> <b>Kwinter, Hon. Monte</b>, Minister of Industry, Trade and Technology (Wilson Heights L)<br/>           Laughren, Floyd (Nickel Belt NDP)<br/>           LeBourdais, Linda (Etobicoke West L)<br/>           Leone, Laureano (Downsview L)<br/>           Lipsett, Ron (Grey L)<br/>           Lupusella, Tony (Dovercourt L)<br/>           MacDonald, Keith (Prince Edward-Lennox L)<br/>           Mackenzie, Bob (Hamilton East NDP)<br/>           Mahoney, Steven W. (Mississauga West L)<br/> <b>Mancini, Hon. Remo</b>, Minister without Portfolio (Essex South L)<br/>           Marland, Margaret (Mississauga South PC)<br/>           Martel, Shelley (Sudbury East NDP)<br/>           Matrundola, Gino (Willowdale L)<br/>           McCague, George R. (Simcoe West PC)<br/>           McClelland, Carman (Brampton North L)<br/>           McGuigan, James F. (Essex-Kent L)<br/>           McGuinty, Dalton J. (Ottawa South L)<br/>           McLean, Allan K. (Simcoe East PC)<br/> <b>McLeod, Hon. Lyn</b>, Minister of Colleges and Universities (Fort William L)<br/>           Miclash, Frank (Kenora L)<br/>           Miller, Gordon I. (Norfolk L)</p> |
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Morin, Gilles E. (Carleton East L)  
 Morin-Strom, Karl E. (Sault Ste. Marie NDP)  
 Neumann, David E. (Brantford L)  
 Nicholas, Cindy (Scarborough Centre L)  
 Nixon, J. Bradford (York Mills L)  
**Nixon, Hon. Robert F.**, Deputy Premier,  
 Treasurer of Ontario and Minister of Econom-  
 ics and Minister of Financial Institutions  
 (Brant-Haldimand L)  
**Oddie Munro, Hon. Lily**, Minister of Culture  
 and Communications (Hamilton Centre L)  
 Offer, Steven (Mississauga North L)  
**O'Neil, Hon. Hugh P.**, Minister of Tourism and  
 Recreation (Quinte L)  
 O'Neill, Yvonne (Ottawa-Rideau L)  
 Owen, Bruce (Simcoe Centre L)  
**Patten, Hon. Richard**, Minister of Government  
 Services (Ottawa Centre L)  
 Pelissero, Harry E. (Lincoln L)  
**Peterson, Hon. David R.**, Premier and Presi-  
 dent of the Council and Minister of Inter-  
 governmental Affairs (London Centre L)  
 Philip, Ed (Etobicoke-Rexdale NDP)  
**Phillips, Hon. Gerry**, Minister of Citizenship  
 (Scarborough-Agincourt L)  
 Poirier, Jean, Deputy Speaker and Chairman of  
 the Committees of the Whole House (Prescott  
 and Russell L)  
 Pollock, Jim (Hastings-Peterborough PC)  
 Polsinelli, Claudio (Yorkview L)  
 Poole, Dianne (Eglinton L)  
 Pope, Alan W. (Cochrane South PC)  
 Pouliot, Gilles (Lake Nipigon NDP)  
 Rae, Bob (York South NDP)  
**Ramsay, Hon. David**, Minister of Correctional  
 Services (Timiskaming L)  
 Ray, Michael C. (Windsor-Walkerville L)  
 Reville, David (Riverdale NDP)  
 Reycraft, Douglas R. (Middlesex L)  
**Riddell, Hon. Jack**, Minister of Agriculture and  
 Food (Huron L)

Roberts, Marietta L. D., Deputy Chairman of the  
 Committees of the Whole House (Elgin L)  
 Runciman, Robert W. (Leeds-Grenville PC)  
 Ruprecht, Tony (Parkdale L)  
**Scott, Hon. Ian G.**, Attorney General  
 (St. George-St. David L)  
 Smith, David W. (Lambton L)  
**Smith, Hon. E. Joan**, Solicitor General  
 (London South L)  
 Sola, John (Mississauga East L)  
**Sorbara, Hon. Gregory S.**, Minister of Labour  
 (York Centre L)  
 South, Larry (Frontenac-Addington L)  
 Sterling, Norman W. (Carleton PC)  
 Stoner, Norah (Durham West L)  
 Sullivan, Barbara (Halton Centre L)  
 Swart, Mel (Welland-Thorold NDP)  
**Sweeney, Hon. John**, Minister of Community  
 and Social Services (Kitchener-Wilmot L)  
 Tatham, Charlie (Oxford L)  
 Velshi, Murad (Don Mills L)  
 Villeneuve, Noble (Stormont, Dundas and Glen-  
 garry PC)  
**Ward, Hon. Christopher C.**, Minister of  
 Education (Wentworth North L)  
 Wildman, Bud (Algoma NDP)  
**Wilson, Hon. Mavis**, Minister without Portfolio  
 (Dufferin-Peel L)  
 Wiseman, Douglas J. (Lanark-Renfrew PC)  
**Wong, Hon. Robert C.**, Minister of Energy  
 (Fort York L)  
**Wrye, Hon. William**, Minister of Consumer and  
 Commercial Relations (Windsor-Sandwich L)

\*The alphabetical list of members appears in each issue. Lists of the members of the executive council, parliamentary assistants and members of committees, brought up to date as necessary, are published in Hansard in the first and last issues of each session and on the first sitting day of each month.



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